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TITLE 6—AGRICULTURAL CREDIT

Chapter III—War Food Administration (Farm Security)

PART 300—GENERAL

DELEGATION OF AUTHORITY TO ASSISTANT ADMINISTRATOR WITH RESPECT TO REAL ESTATE AND REAL ESTATE LENDING AND SERVICING

§ 300.15 *Delegation of authority to Assistant Administrator with respect to real estate lending and servicing.* By virtue of the authority vested in the Administrator of Farm Security Administration by the War Food Administrator in Memorandum No. 37, dated March 13, 1944 (9 F.R. 2840-2841), and the Delegation of Authority, dated August 2, 1944 (9 F.R. 9389), there is hereby delegated to C. Stott Noble, Assistant Administrator of Farm Security Administration:

(a) The power and authority, subject to the jurisdiction and control of the Administrator, to do all things the Administrator is required or empowered to do which are necessary to administer and supervise the activities of Farm Security Administration under the respective jurisdictions of the Farm Ownership Division, the Project Sales Division and the Engineering Division pertaining to real estate, real estate lending and servicing, the liquidation of Resettlement projects and Rural Rehabilitation projects for Resettlement purposes, including but not limited to land-leasing, land-purchasing associations and defense relocation corporations, except the power and authority to compromise claims pursuant to section 41 (g) of the Bankhead-Jones Farm Tenant Act.

(b) This delegation shall revoke or modify existing authorizations and instructions only to the extent such authorizations and instructions are in conflict herewith.

(c) In his discretion, the Assistant Administrator may redelegate any of the power or authority granted herein to subordinates under his jurisdiction and

may revoke or modify existing authorities within the scope of this delegation.

(d) In the absence of the Assistant Administrator, or in the event of his inability to carry out the authority herein delegated, such authority may be exercised by the Acting Assistant Administrator serving in his place and stead.

(e) This delegation shall have effect as of July 1, 1944, and shall remain in effect until revoked or modified by subsequent delegations.

Issued this 19th day of August 1944.

FRANK HANCOCK,
Administrator,
Farm Security Administration.

[F. R. Doc. 44-12659; Filed, August 22, 1944;
11:13 a. m.]

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[WFO 54-4, Amdt. 3]

PART 1401—DAIRY PRODUCTS

DRIED SKIM MILK

War Food Order No. 54-4, as amended (9 F.R. 4675, 7040, 9526), is further amended as follows:

By deleting the provisions of § 1401.179 (b) and inserting, in lieu thereof, the following:

(b) *Percentages of dried skim milk to be set aside.* Each producer shall set aside, in the calendar month of September 1944, a quantity of spray dried skim milk equal to 60 percent of all spray dried skim milk produced by him during that month. Beginning with September 1, 1944, and until otherwise directed, no producer shall be required to set aside any portion of the roller dried skim milk which is produced by him on or after that date.

This order shall become effective at 12:01 a. m., e. v. t., September 1, 1944, with respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No.

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at \$3.00 per unit. The following are now available:

- Book 1: Titles 1-3 (Presidential documents) with tables and index.
- Book 2: Titles 4-9, with index.
- Book 3: Titles 10-17, with index.
- Book 4: Titles 18-25, with index.
- Book 5, Part 1: Title 26, Parts 2-178.
- Book 5, Part 2: Title 26, completed; Title 27; with index.
- Book 6: Titles 28-32, with index.

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54-4, as amended, prior to the effective time of the provisions hereof, the provisions of said War Food Order No. 54-4, as amended, in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 54, 8 F.R. 7210, 9 F.R. 2875, 4321, 4319)

Issued this 21st day of August 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44-12630; Filed, August 21, 1944;
3:31 p. m.]

[WFO 2-7]

PART 1401—DAIRY PRODUCTS

BUTTER

Pursuant to the authority vested in me by War Food Order No. 2, as amended, 9 F.R. 4321, 4319 (formerly designated as Food Distribution Order No. 2 originally issued by the Secretary of Agriculture on January 5, 1943, 8 F.R. 253, as amended, 9 F.R. 3623), it is hereby ordered as follows:

§ 1401.184 *Percentage of butter to be set aside in September 1944*—(a) *Definitions*. (1) "WFO 2" means War Food Order No. 2, as amended.

(2) Each term defined in WFO 2 shall, when used herein, have the same meaning as set forth for such term in WFO 2.

(b) *Percentage*. Each person who is required by WFO 2 to set aside butter during September 1944 shall set aside, in the said month in which he is required to set aside butter, a quantity of butter equal to at least 20 percent of all butter produced by him in the said month.

(c) *Effective date*. This order shall become effective at 12:01 a. m., e. w. t., September 1, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 2, 8 F.R. 253; 9 F.R. 3623, 4321, 4319)

Issued this 21st day of August 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44-12631; Filed, August 21, 1944;
3:31 p. m.]

[WFO 79-1 to 79-33, inc.; 79-35; 79-38 to 79-81, inc.; 79-83 to 79-101, inc.; 79-141; 79-142; and 79-144, Gen. Amdt. 6]

PART 1401—DAIRY PRODUCTS

GENERAL AMENDMENT TO CERTAIN WAR FOOD ORDERS ISSUED BY THE DIRECTOR ALLOCATING MILK PRODUCTS PURSUANT TO WAR FOOD ORDER NO. 79, AS AMENDED

In the determination of quotas for milk byproducts, including cottage, pot, or

baker's cheese, for each of the quota periods of September and October 1944, wherever a percentage specification appears affecting quotas for milk byproducts, including cottage, pot, or baker's cheese, delete said percentage and substitute the specification "100 percent," and in the determination of quotas for cream for each of the quota periods of September and October 1944 delete the quota for pounds of cream with the result that the quota for cream shall be computed only for pounds of butterfat in cream. This amendment shall be effective (notwithstanding quotas heretofore assigned) in each of the following orders:

The orders issued by the Director of Distribution in accordance with the provisions of War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319) dated September 7, 1943, as amended, and said orders issued by the Director are designated as WFO 79-1 to 79-33, inclusive; 79-35; 79-38 to 79-81, inclusive; 79-83 to 79-101, inclusive; 79-141; 79-142; and 79-144.

This order shall become effective at 12:01 a. m., e. w. t., September 1, 1944. With respect to any violation of said War Food Order No. 79, as amended, or any of the aforesaid orders issued by the Director pursuant thereto, any right accrued, or liability incurred, prior to the effective time of this amendment, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 21st day of August 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44-12628; Filed, August 21, 1944;
3:31 p. m.]

[WFO 79-102, Amdt. 3]

PART 1401—DAIRY PRODUCTS

DELEGATION OF AUTHORITY TO MARKET AGENTS IN THE ADMINISTRATION OF WAR FOOD ORDERS FOR THE CONSERVATION AND DISTRIBUTION OF FLUID MILK AND CREAM

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79-102 (8 F.R. 16313, 9 F.R. 337, 4321, 4319, 4500), as amended, is hereby further amended so as to read as follows:

§ 1401.135 *Fluid milk and cream*—(a) *Definitions*. When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof, each term defined in War Food Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in War Food Order No. 79 as amended.

(b) *Delegation of authority*. The market agent under any of the War Food

Orders issued pursuant to War Food Order No. 79, as amended, and notwithstanding the provisions of any such orders, is hereby authorized:

(1) To exempt deliveries of milk, cream, and milk byproducts to industrial users, in their capacity as such users, from charges to quotas and exclude such deliveries from the computation of deliveries in the base period, and the term "industrial user" shall be construed to mean a person, as determined by the market agent, manufacturing products using as an ingredient milk, cream, or milk byproducts, and which are disposed of primarily for resale to consumers off the premises where made.

(2) To transfer quota from one handler to another, upon application and after written notice to the Director and each handler involved, whenever (i) a handler has denied service to one or more of his accounts, (ii) an account customarily rotates among handlers, inclusive of any account with a public agency or institution which is let on a bid basis, (iii) a sub-handler regularly making 50 percent or more of his deliveries under his own brand or trade name submits an application, (iv) a handler or a sub-handler applies in order to consummate a bona fide sale of business, or (v) handlers apply in order to exchange or transfer accounts.

(3) To permit a handler to substitute a quota of milk solids in milk for his quota of milk and of butterfat in milk, if specified in the order, and a quota of milk solids in milk byproducts for his quota of milk byproducts, including cottage, pot, or baker's cheese. (For the purpose of this substitution, the milk solids content of milk or milk byproducts shall be computed as follows: Each hundredweight of milk or milk byproducts other than cottage, pot, or baker's cheese, shall be considered the equivalent of 9,375 pounds of milk solids plus the number of pounds of milk solids calculated by multiplying the pounds of butterfat content of such milk or milk byproducts by .306, and each hundred weight of cottage, pot, or baker's cheese shall be considered the equivalent of 65.63 pounds of milk solids minus .953 pounds of milk solids for each one-half percent of butterfat content of such cheese.) Each handler so substituting may, within any quota period, increase his quota of milk solids in milk by one pound for each one pound of milk solids by which he decreases his quota for milk byproducts: *Provided*, That his quota of milk solids in milk shall not be so increased by more than 3 percent.

(4) In areas wherein no quota of butterfat in milk is specified, to permit a handler to increase the total pounds of milk in milk quota by not more than 3 percent, by transferring milk byproducts quota to milk quota at the rate of one pound of milk byproducts quota for each 0.75 pounds of milk quota.

(c) *Review by the Director*. A ruling by a market agent under the authority delegated herein may be reviewed by the Director upon petition or upon the initiative of the Director, and may be affirmed, modified or reversed by the Director.

(d) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., September 1, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 21st day of August 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44-12629; Filed, August 21, 1944;
3:31 p. m.]

[WFO 1, Amdt. 11]

PART 1404—BAKERY PRODUCTS

INGREDIENTS

War Food Order No. 1, as amended (8 F.R. 16777, 9 F.R. 4319, 4527, 5331, 7122), § 1404.1, is further amended by deleting (c) and substituting in lieu thereof the following:

(c) *Ingredients.* (1) No baker shall make or sell any bread baked from dough which contains more than:

(i) 6 parts by weight of cane sugar, beet sugar, corn sugar, or other similar fermentable carbohydrate solids (except as may be present in any fruit used) to 100 parts of flour; or

(ii) 3 parts by weight of shortening, lard, or other fats or oils (including fats or oils which have been added to any other ingredient) to 100 parts of flour: *Provided, however,* That this provision shall not apply to lard or rendered pork fat which is delivered to and accepted by any baker during the period from May 15, 1944, to September 30, 1944, both inclusive.

(2) No person shall sell any imported bread baked from dough which contains any ingredient listed under (c) (1) hereof in excess of the applicable quantity therein specified.

This amendment shall become effective at 12:01 a. m., e. w. t., August 22, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 1, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 21st day of August 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-12632; Filed, August 21, 1944;
3:31 p. m.]

[WFO 37, Partial Suspension]

PART 1460—FATS AND OILS

PARTIAL SUSPENSION OF RESTRICTIONS WITH RESPECT TO SPERM OIL

The provisions of § 1460.8, (b) and (c) of War Food Order No. 37, as amended

(9 F.R. 2078, 4319, 4974), are suspended until December 1, 1944.

This order shall become effective at 12:01 a. m., e. w. t., September 1, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken under War Food Order No. 37, as amended, prior to said date, all provisions of said War Food Order No. 37, as amended, in effect prior thereto, shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 21st day of August 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-12634; Filed, August 21, 1944;
3:31 p. m.]

[WFO 53, Partial Suspension]

PART 1460—FATS AND OILS

PARTIAL SUSPENSION OF RESTRICTIONS WITH RESPECT TO ANIMAL OIL, NEAT'S-FOOT OIL, AND RED OIL

The provisions of § 1460.15, (b), (c), (d) and (e) of War Food Order No. 53, as amended (9 F.R. 6391), are suspended until December 1, 1944.

This order shall become effective at 12:01 a. m., e. w. t., Aug. 22, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken under War Food Order No. 53, as amended, prior to said date, all provisions of said War Food Order No. 53, as amended, in effect prior thereto, shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 21st day of August 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-12633; Filed, August 21, 1944;
3:31 p. m.]

TITLE 10—ARMY: WAR DEPARTMENT

EMPLOYEES OF VETERANS' ADMINISTRATION AND REPRESENTATIVES OF VETERANS' ORGANIZATIONS IN CERTAIN ARMY AND NAVY INSTALLATIONS

NOTE: For Joint Regulations of the Secretary of War, the Secretary of the Navy and the Administrator of Veterans' Affairs defining the status and functions of certain officials and employees placed in Army and Navy installations by the Administrator of Veterans' Affairs under the authority granted in section 103 of the Servicemen's Readjustment Act of 1944 and providing for the certification by the Administrator of Veterans' Affairs

of paid full time accredited representatives of recognized veterans' and other national organizations and the functioning of such accredited representatives in Army and Navy installations as authorized and directed in section 200 of the Act, see Title 38, *infra*.

Chapter VII—Personnel

PART 709—PRESCRIBED SERVICE UNIFORM

WOMEN'S ARMY CORPS

In § 709.90 (9 F.R. 1413), paragraphs (a) and (b) are rescinded and the following substituted therefor:

§ 709.90 *WAC uniform*—(a) *Winter service uniform.* The winter service uniform for Women's Army Corps officers consists of the following items:

- (1) (i) Cap, garrison, wool, WAC, officers, or (ii) Cap, WAC, winter officer's.
- (2) Jacket, wool, olive-drab, women's officer's, except when waist without coat is authorized.
- (3) Necktie, women's.
- (4) (i) Shoes, low, service, women's, or (ii) Shoes, field, women's (optional), or (iii) Pumps, when off duty.
- (5) (i) Skirt, wool, dark, olive-drab, women's, officer's, or (ii) Skirt, WAC, winter, light, officer's.
- (6) Stockings, WAC, rayon or cotton.
- (7) Tags, identification.
- (8) Insignia.
- (9) Waist, women's.
- (10) Decorations, service medals and badges optional.
- (11) Ribbons, service (optional).
- (12) (i) Gloves, leather, dress, women's or (ii) Gloves, wool, olive-drab, women's, or (iii) Gloves, cotton, WAC, in chamols color (optional).
- (13) (i) Coat, WAC, utility, officer's, or (ii) Overcoat, WAC, officer's, or (iii) Raincoat, parka type, women's, officer's, or (iv) Overcoat, field, women's, officer's.
- (14) (i) Scarf, women's, or (ii) Scarf, WAC, dress, in chamols color (optional).
- (15) (i) Overshoes, low, women's, or (ii) Overshoes, arctic, 4-buckle, women's (optional).
- (16) Bag, WAC, utility (optional).

(b) *Summer service uniform.* The summer service uniform for Women's Army Corps officers consists of the following items:

- (1) (i) Cap, WAC, summer, officer's, or (ii) Cap, garrison, tropical worsted, khaki, WAC, officer's.
- (2) Jacket, WAC, summer, officer's, tropical worsted, khaki, except when waist without coat is authorized.
- (3) Necktie, women's.
- (4) (i) Shoes, low, service, women's, or (ii) Shoes, field, women's (optional), or (iii) Pumps, when off duty.
- (5) Skirt, WAC, summer, tropical worsted, khaki.
- (6) Stockings, WAC, rayon or cotton.
- (7) Tags, identification.
- (8) Insignia.
- (9) Waist, women's.
- (10) Decorations, service medals and badges (optional).
- (11) Ribbons, service (optional).
- (12) (i) Gloves, leather, dress, women's or (ii) Gloves, cotton, WAC, in chamols color (optional).
- (13) (i) Coat, WAC, utility, officer's, or (ii) Raincoat, parka type, women's, officer's, or (iii) Overcoat, field, women's, officer's.
- (14) Overshoes, low, women's (optional).
- (15) Bag, WAC, utility (optional).
- (16) Scarf, WAC, dress, in chamols color (optional).

In § 709.91 (9 F.R. 1413) the head note is amended to read as set forth below, the first paragraph is now designated (a), and a new paragraph (b) is added, as follows:

§ 709.91 Headgear—(a) Cap, WAC.

(b) *Cap, garrison, WAC.* Of adopted design, a garrison cap following the contours of the head and shaped to fit snugly in the back, curtain finished with cord-edge braid (piping) of gold and black for officers, and of old gold and moss-tone green for enlisted women. The beige garrison cap for wear with the summer off-duty dress will conform in color and fabric to the summer off-duty dress.

In § 709.92 (9 F.R. 1413) paragraphs (c) and (d) are amended to read as follows:

§ 709.92 Jacket, wool, olive-drab, women's, officer's.

(c) *Shoulder loops.* On each shoulder a loop of same material as the coat, let into the sleeve head seam, placed slightly toward the front, with pointed end of the loop covered by the lower edge of the collar, buttoning to the coat with a small regulation coat button; loops to be about 1½ inches in width at lower end and tapering to 1½ inches in width at point of buttonhole.

(d) *Pockets.* Two pocket flaps simulating breast pockets placed so that they are horizontal. Center and both ends of pocket flap pointed and buttoned with small regulation coat buttons. Two lower hanging welt pockets set in on the diagonal with a 1-inch welt of self material. (R.S. 1296; 10 U.S.C. 1391) (R.S. 1296; 10 U.S.C. 1391) [AR 600-39, 5 Jan. 1944 as amended 4 Aug. 1944]

[SEAL]

J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 44-12651; Filed, August 22, 1944;
9:45 a.m.]

TITLE 22—FOREIGN RELATIONS

Chapter I—Department of State

[Departmental Reg. 1]

PART 28—PAYMENTS TO AND ON BEHALF OF PARTICIPANTS IN THE CULTURAL-COOPERATION PROGRAM

Under the authority contained in R. S. 161 (5 U.S.C. 22), authorizing the head of each department to prescribe regulations for the government of his department and the performance of its business, the authority of that paragraph of title I of the act of July 1, 1943, cited as the Department of State Appropriation Act, 1944 (57 Stat. 271), headed "Cooperation with the American Republics" and of that paragraph of title I of the act of June 28, 1944, cited as the Department of State Appropriation Act, 1945, also headed "Cooperation with the American Republics", both of which paragraphs authorize the making of regulations governing the expenditure of funds made available by each of such acts for the purpose of paying the com-

pensation and traveling and other expenses of certain persons participating in the program of inter-American cultural relations contemplated and provided for by the Convention for the Promotion of Inter-American Cultural Relations, signed at Buenos Aires December 23, 1936 (51 Stat. 178), and the act of August 9, 1939 (53 Stat. 1280) to authorize the President to render closer and more effective the relationship between the American republics; and the authority of a letter from the President to the Secretary of the Treasury dated July 29, 1944 making an allocation from the appropriation "Emergency Fund for the President, National Defense, 1942-1945" to the Department of State for a program of cultural relations with China and the neighboring countries and with countries of the Near East and Africa, the following regulations are prescribed to govern payments to and on behalf of participants in the cultural-cooperation program.

Sec.

- 28.1 Definitions.
- 28.2 Applicability of these regulations under special circumstances.
- 28.3 Grants to foreign leaders.
- 28.4 Travel grants to foreign students.
- 28.5 Maintenance grants to foreign students.
- 28.6 Other assistance to foreign students.
- 28.7 Grants to foreign students under international agreement.
- 28.8 Allowances to United States Government employee leaders.
- 28.9 Grants to United States leaders.
- 28.10 Grants to United States students.
- 28.11 Additional provisions.
- 28.12 Previous regulations superseded.
- 28.13 Effective date.

§ 28.1 *Definitions.* For the purpose of these regulations the following terms shall have the meanings here given:

(a) *Cultural-cooperation program of the Department of State.* All programs in the field of international cultural relations and technical and cultural cooperation in connection with which payments are made direct by the Department of State, as well as similar program carried out by other Government departments and agencies and by private organizations with funds appropriated or allocated to the Department of State when these regulations apply under the provisions of § 28.2 (a) and (b) of this chapter. For convenience the cultural-cooperation program of the Department of State will sometimes hereinafter be referred to as the "program", and the Department of State will sometimes be referred to as the "Department".

(b) *Participants.* Persons taking part in the program in one of the categories defined in paragraphs (c) and (d) of this section, including both citizens of the United States and of the other countries with which the program is carried on.

(c) *Leaders.* Professors and instructors, persons of influence, and persons of outstanding accomplishment or possessing special qualifications in a professional, technical, cultural, or other specialized field, who may, however, independently or incidentally engage in research or study without thereby being necessarily classed as students as that term is hereinafter defined.

(d) *Students.* Students, internes in public service and other technical and professional fields, trainees, holders of fellowships, and other persons engaged primarily in pursuing courses of formal study or guided research or training.

(e) *Baggage.* Public property, or private property to be used exclusively for official business, and wearing apparel needed by the traveler for the journey together with the necessary containers.

(f) *Excess baggage.* Baggage in excess of the weight or of a size greater than that carried free by transportation companies.

§ 28.2 *Applicability of these regulations under special circumstances—(a) Funds administered by another department or agency.* These regulations shall not apply to payments made to or on behalf of participants from funds appropriated or allocated to the Department of State and transferred by the Department to some other department, agency, or independent establishment of the Government by transfer appropriation warrant unless the terms of the transfer provide that such regulations shall apply in whole or in part or with such modifications as may be prescribed in each case to meet the exigencies of the particular situation.

(b) *Funds administered by an institution or facility.* These regulations shall apply to payments made to or on behalf of participants from funds appropriated or allocated to the Department and administered by an institution, facility, or organization in accordance with the terms of a contract or grant made by the Department with or to such institution, facility, or organization, unless the terms of such contract or grant provide that these regulations are not to be considered applicable or that they are to be applied with such modifications as may be prescribed in each case to meet the exigencies of the particular situation.

(c) *Subsequent appropriations or allocations.* These regulations shall apply to payments made by the Department of State with respect to appropriations or allocations which may hereafter be made to the Department for the program, so far as these regulations are not inconsistent therewith.

§ 28.3 *Grants to foreign leaders.* A citizen of a foreign country who has been awarded a grant as a leader shall be entitled to:

(a) *Transportation expenses.* First-class accommodations on steamship, airplane, railway, or other means of conveyance or, when authorized, reimbursement in accordance with the provisions of the Standardized Government Travel Regulations for travel in a privately owned vehicle.

(b) *Per diem in lieu of subsistence.* (1) Per diem of \$10.00, in lieu of subsistence and all incidental expenses including gratuitous fees, taxi fares, head tax, visa fees, telegraph and telephone charges, et cetera, while traveling to and from the United States except for the period spent on sea-going vessels, while on authorized or emergency stop-overs, and while in a travel status within the United States, which status shall include

the entire period of the trip unless the travel order or an amendment thereto specifically directs the traveler to proceed to a designated place and to remain there on a duty assignment: *Provided*, That when a traveler is furnished meals and/or lodging without charge by a United States Government department or agency, one fifth of the authorized per diem shall be deducted for each meal or night's lodging.

(2) Per diem of \$5.00, unless another rate not to exceed \$10.00 is authorized, in lieu of subsistence and all incidental expenses including gratuitous fees, and the cost of steamer chairs, rugs and cushions, et cetera, while traveling on sea-going vessels outside the continental limits of the United States.

(c) *Baggage charges*. Reimbursement, upon presentation of receipts, of shipping charges for baggage, as follows:

(1) If travel is performed by air, for excess baggage not to exceed 50 pounds in weight, when shipped as excess baggage or by air express.

(2) If travel is performed by means other than air, for a total of 250 pounds in weight, inclusive of all available free allowances.

(3) Under either (1) or (2) above, for additional baggage necessary to the purpose of the trip when authorized either by the Department or by the officer in charge of the appropriate United States mission.

(d) *Alternate provision*. Travel expenses and per diem in accordance with the provisions of the Standardized Government Travel Regulations, when specifically authorized, in lieu of the provisions of paragraph (a), (b), and (c) of this section.

(e) *Allowances*. (1) Monthly allowances in lieu of subsistence at the rate of \$7.00 per diem while on a duty assignment.

(2) Such compensation or other allowances as may be specifically authorized.

(f) *Tuition*. Tuition and related fees for courses of advanced or specialized study at an institution of learning in connection with the purpose for which the grant has been awarded, when authorized. Payment of such tuition and fees will be made by the Department on behalf of the grantee direct to the institution concerned upon presentation of an itemized voucher countersigned by the grantee.

(g) *Advances of funds*. Advances of per diem and allowances for periods not in excess of 30 days.

§ 28.4 *Travel grants to foreign students*. A citizen of a foreign country who has been awarded a travel grant as a student shall be entitled to:

(a) *Transportation expenses*. First-class accommodations on steamship, airplane, railway, or other means of conveyance.

(b) *Per diem in lieu of subsistence*. (1) Per diem of \$7.00, in lieu of subsistence and all incidental expenses, including gratuitous fees, et cetera, while traveling to and from the United States except for the period spent on sea-going

vessels, while on authorized or emergency stop-overs, and while in a travel status within the United States, which status shall terminate on the day he arrives at the city or other place where he is to study or receive training and shall recommence on the day he leaves that place, or other place to which he has been authorized to go, to return to his home.

(2) Per diem of \$3.50, unless another rate not to exceed \$7.00 is authorized, in lieu of subsistence and all incidental expenses including gratuitous fees, and the cost of steamer chairs, rugs and cushions, et cetera, while traveling on sea-going vessels outside the continental limits of the United States.

(c) *Baggage charges*. Reimbursement, upon presentation of receipts, of shipping charges for baggage, as follows:

(1) If travel is performed by air, for excess baggage not to exceed 50 pounds in weight, when shipped as excess baggage or by air express.

(2) If travel is performed by means other than air, for a total of 250 pounds in weight, inclusive of all available free allowances.

(3) Under either (1) or (2) above, for additional baggage necessary to the purpose of the trip when authorized either by the Department or by the officer in charge of the appropriate United States mission.

(d) *Alternate provision*. Travel expenses and per diem in accordance with the provisions of the Standardized Government Travel Regulations, when specifically authorized, in lieu of the provisions of paragraphs (a), (b), and (c) of this section.

(e) *Allowances*. An allowance of \$25.00 for the first month or fraction thereof while engaged in traveling from his home to the United States, commencing on the day of departure, in addition to all other allowances.

(f) *Advances of funds*. Advances of allowances as provided in paragraph (e) of this section in full, and of per diem in lieu of subsistence for not to exceed the time estimated as necessary to complete the authorized travel in one direction.

§ 28.5 *Maintenance grants to foreign students*. A citizen of a foreign country who has been awarded a maintenance grant as a student shall be entitled to an allowance subject to the following provisions:

(a) *Amount*. Not to exceed \$150 per month.

(b) *Duration*. Not to exceed 12 months of actual study and training, but to be renewable.

(c) *Other terms*. The amount, duration, and other terms of the grant, which may provide for the payment of monthly installments in advance, shall be fixed in each individual case. The first installment under the grant will become payable as of the date the student registers in an institution of learning or otherwise actually starts his program of study, research, or training, or the date established to the satisfaction of the Department as that on which the student was prepared to begin his program. This grant may be subject to cancellation if the recipient does not maintain a satis-

factory record of performance or otherwise demonstrates his unsuitability to receive assistance.

§ 28.6 *Other assistance to foreign students*. A foreign student obliged to remain in the United States because of emergency conditions and unable to secure adequate financial assistance from other sources, or a student brought to the United States for a special course of training, shall be entitled to any or all of the following items when authorized, subject to cancellation if the recipient does not maintain a satisfactory record of performance or otherwise demonstrates his unsuitability to receive assistance.

(a) *Maintenance allowance*. A maintenance allowance similar to that provided in § 28.5 of this chapter, except that it may be continued in intervals between periods of study or training.

(b) *Books and equipment allowance*. An allowance for books and equipment and incidental expenses not to exceed \$150 per year.

(c) *Tuition*. Tuition and related fees, when not available from other sources. Payment of such tuition and fees will be made by the Department on behalf of the grantee direct to the institution concerned upon presentation of an itemized voucher countersigned by the grantee.

(d) *Travel*. Transportation expenses from one place of study or training to another or for travel in furtherance of his study and training, not exceeding the cost of minimum first-class transportation on a common carrier. For this purpose the student may either be provided with such accommodations or be allowed actual travel expenses, in which case an advance of travel funds may be made.

§ 28.7 *Grants to foreign students under international agreement*. A foreign student sent to the United States under the provisions of an international agreement such as the Convention for the Promotion of Inter-American Cultural Relations shall, subject to such agreement, be entitled to:

(a) *Allowances and tuition*. Allowances for maintenance, books, equipment, and incidental expenses, and payment of tuition and related fees as provided in § 28.6 (a), (b), and (c) of this chapter.

(b) *Tutoring assistance*. Special tutoring assistance when authorized.

(c) *Travel*. Transportation expenses as provided in § 28.6 (d) of this chapter when requested by the Department to perform travel within the United States in excess of that financed by the student's government in accordance with the terms of the international agreement.

§ 28.8 *Allowances to United States Government employee leaders*. An employee of the United States Government who has been appointed or assigned for service abroad as a leader shall be entitled to any or all of the following items when authorized:

(a) *Transportation expenses*. Transportation and miscellaneous expenses in the United States and abroad, including "baggage charges, and per diem in lieu

of subsistence at the maximum rates allowable while in a travel status, in accordance with the provisions of the Standardized Government Travel Regulations and the Subsistence Expense Act of 1926 as amended, except that where such payments are made from funds whose expenditure is exempted from compliance with the said travel regulations and Subsistence Expense Act by the provisions of the applicable appropriation act or Presidential letter of allocation, the traveler shall be reimbursed for his travel expenses as provided in his travel order. The traveler shall be considered as remaining in travel status during the entire period covered by his order unless otherwise specified.

(b) *Advances of funds.* Advances of per diem as provided in regulations prescribed by the Secretary of the Treasury pursuant to the Subsistence Expense Act of 1926.

(c) *Compensation.* Compensation in accordance with Civil Service rules or in accordance with the grade in which the position occupied may be administratively classified.

(d) *Allowances for cost of living and living quarters, et cetera.* Allowances for living quarters, heat, fuel, and light, and to compensate for the increased cost of living, in accordance with the currently applicable provisions of Budget Circular A-8, as amended, concerning "various allowances payable to federal officers and employees stationed in foreign countries, et cetera", when assigned to a temporary or permanent post of duty abroad and not in a travel status as used in paragraph (a) of this section.

(e) *Books and equipment.* The cost of books, teaching materials, laboratory equipment, et cetera, in an amount to be authorized in each case. Such materials and equipment, unless otherwise ordered, shall be selected by the traveler and purchased and shipped by the Department, and at the conclusion of the mission shall be transferred to and become the property of an appropriate local institution, or be otherwise disposed of, as directed by the Department.

(f) *Stenographic and other services.* The cost of stenographic and other services when authorized as provided for in the Standardized Government Travel Regulations or by contract entered into by the Department at the request of the traveler. The contracting officer of the appropriate diplomatic or consular office is authorized to enter into such contracts on behalf of the Department.

(g) *Families and effects.* Cost of transportation of immediate family and household goods and effects when going to and returning from posts of assignment in foreign countries in accordance with the provisions of the Foreign Service Regulations of the United States of America.

§ 28.9 *Grants to United States leaders.* A citizen of the United States who has been awarded a grant as a leader may be entitled to any or all of the following when authorized:

(a) *Transportation expenses.* Transportation expenses and per diem as provided in § 28.8 (a) of this part.

(b) *Advances of funds.* Advances of funds as provided in § 28.8 (b) of this chapter.

(c) *Compensation.* Compensation at a rate to be fixed in each case by the Department of State.

(d) *Allowances for cost of living and living quarters, et cetera.* Allowances for living quarters, heat, fuel, and light, and to compensate for the increased cost of living, corresponding as nearly as may be practicable to the allowances provided for in § 28.8 (d) of this part.

(e) *Books and equipment.* The cost of books, teaching materials, laboratory equipment, et cetera, as provided in § 28.8 (e) of this part.

(f) *Stenographic and other services.* The cost of stenographic and other services as provided in § 28.8 (f) of this part.

§ 28.10 *Grants to United States students.*

NOTE: Grants to United States citizens for the purpose of enabling them to study abroad shall be made subject to such regulations as may be prescribed hereafter at the time when the making of such grants, discontinued at present owing to the war, is resumed.

§ 28.11 *Additional provisions.* The following additional provisions shall apply to the foregoing regulations:

(a) *Maxima not controlling.* Payments and allowances shall be made at the rate or in the amount provided in these regulations unless otherwise ordered, but any individual grant or travel order may specify that less than the maximum will be allowed under any part of these regulations.

(b) *Individual authorization.* Where these regulations provide for compensation, allowance, or other payment when authorized, no payment shall be made therefor unless a definite amount or basis of payment is authorized in the individual case, or is approved as provided in paragraph (d) of this section.

(c) *Computation of per diem and allowances.* In computing per diem, and allowances payable while on a duty assignment, except for travel performed under the Standardized Government Travel Regulations, fractional days shall be counted as full days, the status at the end of the calendar day determining the status for that entire day.

(d) *Subsequent approval.* Whenever without prior authority expense has been incurred by a participant, or an individual has commenced his participation in the program as contemplated by these regulations, the voucher for payments in connection therewith may be approved by an official designated for this purpose, such approval constituting the authority for such participation or the incurring of such expense.

(e) *Additional authorization.* Any emergency, unusual, or additional payment deemed necessary under the program, if allowable under existing authority, may be authorized whether or not specifically provided for by these regulations.

§ 28.12 *Previous regulations superseded.* These regulations supersede those prescribed in Departmental Order 1157 of April 1, 1943, as amended and extended, and all other regulations and instructions inconsistent herewith: *Provided*, That grants, travel orders, and other authorizations which are outstanding and in effect on the date the present regulations become effective and which do not conform hereto shall nevertheless remain in effect and be governed by the regulations under which they were originally issued, unless such grants, orders, or authorizations are specifically amended and made subject to the present regulations, in which case the individual concerned will be notified.

§ 28.13 *Effective date.* These regulations shall be effective August 21, 1944.

CORDELL HULL,
Secretary of State.

AUGUST 21, 1944.

[F. R. Doc. 44-12636; Filed, August 21, 1944; 4:03 p. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income and Excess-Profits Taxes

[T. D. 5337]

PART 23—CONSOLIDATED RETURNS OF AFFILIATED RAILROAD CORPORATIONS AND PAN-AMERICAN TRADE CORPORATIONS

PART 33—CONSOLIDATED RETURNS OF AFFILIATED CORPORATIONS PRESCRIBED UNDER SECTION 730 (b) OF THE EXCESS-PROFITS TAX ACT OF 1940

CONSOLIDATED RETURNS

NOTE: In FEDERAL REGISTER Document 12138, appearing on page 9383 of the issue for Tuesday, August 15, 1944, the date of signing was omitted. The original document has been corrected so that the date reads "August 11, 1944."

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Foreign Economic Administration

Subchapter B—Export Control

[Amdt. 203]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS

Section 801.2 *Prohibited exportations* is hereby amended in the following particulars:

In the column headed "General License Group" the group and country designations assigned to the commodity listed below, at every place where said commodity appears in said section, is hereby amended to read as follows:

Commodity	Department of General License	
	Com- merce No.	Group
Lead, (including neutral lead and related products)	6023.00	None

Shipments of the above commodity which are on dock, on lighter, laden aboard the exporting carrier, or in transit to a port of exit pursuant to an actual order for export prior to the effective date of this amendment may be exported under the previous general license provisions. Shipments moving to a vessel subsequent to the effective date of this amendment pursuant to Office of Defense Transportation permits issued prior to such date may also be exported under the previous general license provisions. This amendment shall become effective August 25, 1944.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16325; Delegation of Authority No. 21, 8 F.R. 16320; Delegation of Authority No. 55, 9 F.R. 7512)

Dated: August 11, 1944.

WALTER FREEDMAN,
Deputy Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 44-12604; Filed, August 21, 1944;
12:39 p. m.]

[Amtd. 210]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS

Section 801.2 *Prohibited exportations* is hereby amended in the following particulars:

In the column headed "General License Group" the group and country designations assigned to the commodities listed below, at every place where said commodities appear in said section, are hereby amended to read as follows:

Commodity	Department of Commerce No.	General License Group
Grains and preparations:		
Biscuits and crackers.....	1078.00	K
Corn cereal foods, ready to eat.....	1037.00	K
Macaroni, spaghetti, noodles, vermicelli and macaroni products.....	1077.00	K
Wheat.....	1071.00	K
Wheat cereal foods, ready to eat.....	1090.00	K
Wheat cereal foods, to be cooked.....	1081.00	K
Wheat flour wholly of U. S. wheat (in sacks or barrels).....	1073.00	K
Wheat semolina.....	1090.00	K
Cereal foods, n. e. s.....	1095.00	K
Wheat flour, other (in sacks or barrels).....	1074.00	K
Other grains and preparations.....	1099.00	K
Vegetable products—miscellaneous:		
Brooms.....	2935.00	None

Shipments of the commodities "brooms", "wheat flour wholly of U. S. wheat (in sacks or barrels)" and "wheat flour, other (in sacks or barrels)" which are on dock, on lighter, laden aboard the exporting carrier, or in transit to a port of exit pursuant to an actual order for export prior to the effective date of this amendment may be exported under the previous general license provisions. Shipments moving to a vessel subsequent to the effective date of this amendment pursuant to Office of Defense Transportation permits issued prior to such date may also be exported under the previous general license provisions. This amendment shall become effective August 25, 1944.

tation permits issued prior to such date may also be exported under the previous general license provisions. This amendment shall be effective immediately upon publication except with respect to "brooms", "wheat flour wholly of U. S. wheat (in sacks or barrels)" and "wheat flour, other (in sacks or barrels)" as to which this amendment shall become effective August 25, 1944.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16325; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: August 16, 1944.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 44-12605; Filed, August 21, 1944;
12:39 p. m.]

[Amtd. 211]

PART 801—GENERAL REGULATIONS

REFUNDS OF SUBSIDY PAYMENTS

Paragraph (d) of § 801.16 *Refunds of subsidy payments* is hereby amended by deleting the schedule for "Processed Raisins—1943 Crop" and inserting in lieu thereof the following:

Type and variety	Refund per ton
Natural Thompson Seedless.....	\$53.95
Seeded Muscat.....	75.13
Loose Muscat.....	65.93
Sultana.....	55.79
Golden Bleached Thompson Seedless.....	54.03

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 9361, 8 F.R. 9361; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16325; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: August 18, 1944.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 44-12606; Filed, August 21, 1944;
12:39 p. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-574, Revocation]

AMERICAN PLAYGROUND DEVICE CO.

Suspension Order S-574 was issued against the American Playground De-

vice Company, Anderson, Indiana. An appeal was filed with the Chief Compliance Commissioner who has concluded that proper proof has been submitted by the respondent that it is maintaining proper records as required by Priorities Regulation No. 1. He has directed that Suspension Order No. S-574 be revoked forthwith. In view of the foregoing:

It is hereby ordered, that: § 1010.574, *Suspension Order No. S-574* be revoked.

Issued this 21st day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12637; Filed, August 21, 1944;
4:16 p. m.]

PART 3133—PRINTING AND PUBLISHING

[Limitation Order L-340, as Amended
Aug. 21, 1944]

GOVERNMENTAL COMMERCIAL PRINTING AND DUPLICATING

Scope

(a) The purpose of this order.

Definitions and Explanations

- (b) Government.
- (c) Commercial printing.
- (d) Printer.
- (e) Paper.
- (f) Use.
- (g) Production waste.
- (h) Inventory.

Consumption Quota

- (i) Printing which is covered by other orders.
- (j) Printing which is not restricted.
- (k) Consumption restrictions for governments other than the United States Government.
- (l) Consumption restrictions for the United States government.
- (m) Certification to printer.

Delivery Restrictions

- (n) Limit on tonnage which may be accepted.
- (o) Increase of deliveries.
- (p) Certification to paper dealer or mill.
- (q) Limits on basis weights.

Miscellaneous Provisions

- (r) Records.
- (s) Applicability of regulations.
- (t) Appeals.
- (u) Communications.
- (v) Violations.

Scope

§ 3133.50 *Limitation Order L-340—(a) The purpose of this order.* This order does three things. First, it limits the tonnage of paper which a government may cause to be used for commercial printing. Second, it limits the tonnage of paper which may be accepted by or on behalf of a government. This is based upon its inventory of paper. Third, it limits the basis weight of paper which a government may cause to be used in printing certain items.

Definitions and Explanations

(b) *Government—*(1) "Government" means the United States Government

and the government of any State, county, municipality or local political unit. A State, county, municipality or local political unit may, as a separate government under this order, apportion its consumption quota among its constituent departments, agencies, bureaus and other subdivisions, but such departments, agencies, bureaus and subdivisions may not, collectively, cause more paper to be used in commercial printing than the consumption quota of the government which they comprise.

(2) The Army, Navy, War Shipping Administration and Maritime Commission are exempt from all of the provisions of this order except paragraph (1).

(3) Paragraphs (n), (o) and (p) do not apply to the United States Government as a whole, but only to the Government Printing Office and the Procurement Division of the Treasury Department, and the provisions of those paragraphs apply to each of the above-named agencies separately.

(4) This order does not apply to any government if its base tonnage is less than one ton, or if the total cost of commercial printing purchased by it in the base year did not exceed \$1,000.

(c) *Commercial printing.* "Commercial printing" means all printing and duplicating produced by any type of printing machine covered by Order L-226 or any type of duplicating machine covered by Order L-54-c, List I, Item 5. However, this order does not affect printing which is covered by other orders of the War Production Board, as described in paragraph (i), and printing which is unrestricted, as described in paragraph (j). "Printed matter" includes duplicated matter as well as printed matter.

(d) *Printer.* The term "printer" is used throughout this order, for the sake of convenience and brevity, to include printers who operate printing machines and duplicators who operate duplicating machines. This order applies to a government which operates its own printing plant as well as a government which purchases printing.

(e) *Paper.* "Paper" means any grade, quality, type, basis weight or size of paper, gummed paper, paperboard or Bristol used in commercial printing. The term includes paper reclaimed wholly or partly from printed or unprinted waste, as well as paper made entirely from virgin fiber.

(f) *Use.* Paper is "used" when ink is first applied to it by a printer. However, paper is not "used" under this order when ink is applied to it by pen-ruling equipment. Sometimes paper is put through a press more than once, either by the same printer or by different printers; for instance, when a sheet is printed on its second side, or when several colors are used. For the purposes of this order the paper is deemed to be "used" when the first application of ink is made by a printer. It makes no difference how

many other applications of ink are put on the paper by the same or different printers.

(g) *Production waste.* All production waste shall be included in determining the tonnage of paper which a government causes to be used in commercial printing.

(h) *Inventory.* "Inventory" means all the paper which is available for the use of a government in commercial printing. It is immaterial whether such paper is in the printer's hands or in the hands of the paper dealer, government, or other person. Paper in transit is not included.

Consumption Quota

(i) *Printing which is covered by other orders.* Certain types of printing are not covered by this order. When a government adds up the weight of paper which it caused to be used in the base year, it may not count the paper which went into these items. Also, a government may not use the consumption quota which it gets under this order for the printing of any of these items. They are:

(1) Newspapers (defined in Limitation Order L-240).

(2) Magazines (defined in Limitation Order L-244).

(3) Books and booklets (defined in Limitation Order L-245).

(4) Converted products named in Lists A, B, C or D of General Conservation Order M-241-a, except gummed paper.

(j) *Printing which is not restricted.* A government is not limited in the amount of paper which it may cause to be used in commercial printing required for any official election.

(k) *Consumption restrictions for governments other than the United States government.* In the 12-month period beginning July 1, 1944 and ending June 30, 1945, or in the last fiscal year ending prior to January 1, 1946, and in each corresponding 12-month period after that, no government (other than the United States government) may cause to be used for commercial printing any paper in excess of its annual consumption quota which shall be computed as follows:

(1) (i) Select a base period which shall be either the 12-month period ending June 30, 1942, or the last fiscal year ending prior to June 30, 1942.

(ii) Add up the total pounds of paper used in the base period for all types of printing.

(iii) Subtract the pounds of paper used in the base period for all the items covered by other orders as listed in paragraph (i).

(iv) Subtract the pounds of paper used in the base period for the unrestricted items described in paragraph (j).

(v) This is the government's base tonnage from which the required reductions shall be made.

(2) If the government's base tonnage is more than 1 ton but less than 1½ tons, its annual consumption quota is 1 ton.

(3) If the government's base tonnage is more than 1½ tons, its annual con-

sumption quota is 75 percent of its base tonnage.

(4) A government may cause its annual consumption quota to be used for any type of printing which is not covered by other orders as listed in paragraph (i). Also, it may cause any amount of paper to be used in addition to its annual consumption quota for the unrestricted items described in paragraph (j).

(5) If a government is unable to determine its base period consumption in tons of paper, it may, as an alternative, compute the dollar value of its purchases of commercial printing during the base year using the method described in paragraph (k) (1).

(i) If the government's purchases of commercial printing in the base year were more than \$1,000, but less than \$1,110, its annual consumption quota is \$1,000.

(ii) If the government's purchases of commercial printing in the base year were more than \$1,110, its annual consumption quota is 90% of the cost of commercial printing purchased in the base year.

(l) *Consumption restrictions for the United States Government.* After July 1, 1944, no department, agency or other subdivision of the United States Government may cause any paper to be used for commercial printing except in accordance with the conservation orders issued by the Director of the Bureau of the Budget.

(m) *Certification to printer.* No person may order commercial printing on behalf of a government (except the United States Government) and no person may accept such an order, unless the person placing the order furnishes or has previously furnished to that printer a certification in substantially the following form, signed manually or as provided in Priorities Regulation 7 (§ 944.27) by an official duly authorized for such purpose.

The undersigned certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the printer and to the War Production Board that he is familiar with Order L-340, and that all orders placed by the undersigned with that printer for items regulated by Order L-340, as amended from time to time, will be in compliance therewith.

This is a one-time certification and need not accompany each individual order for printing.

Delivery Restrictions

(n) *Limit on tonnage which may be accepted.* No government may accept, and no person may accept for a government's use, delivery of any quantity of paper if the government's total inventory of all kinds of paper for use in commercial printing exceeds 60 consecutive days' supply, or if acceptance of the delivery will bring its inventory above this level. The number of days' supply shall be computed at the average proposed rate of consumption during the succeeding 60 days, *Provided*, That the proposed rate of consumption is not in violation of the consumption quota restrictions contained in this order.

(o) *Increase of deliveries.* A government may accept delivery of paper which would increase its inventory to more than 60 consecutive days' supply of paper only in the following two circumstances:

(1) If the amount of a particular item in the government's inventory is less than 30 days' supply, it may accept delivery of not more than an additional 30 days' supply of that item, *Provided*, The amount purchased is required for its production within 30 days of acceptance.

(2) Regardless of the quantity of a particular item, or of all items, in a government's inventory, it may accept delivery of any item which it is entitled to accept under paragraphs (n) and (o)

(1) in the unit quantity (e. g., full carload, full truckload, 10,000, 5,000 pounds, 4 cases) in which it accepted delivery of that item in the base period.

(p) *Certification to paper dealer or mill.* No government may order or accept delivery of paper, and no person may deliver paper to a government, unless the government furnishes, or has previously furnished, to the person making the delivery a certification in substantially the following form, signed manually or as provided in Priorities Regulation 7 (§ 944.27) by an official duly authorized for such purpose:

The undersigned certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board that he is familiar with Order L-340 and that all purchases by the undersigned of items regulated by that order, as amended from time to time, will be in compliance therewith.

This is a one-time certification and need not accompany each individual order for paper.

Miscellaneous Provisions

(q) *Limits on basis weights.* Schedule I of Order L-241 provides, "No person may manufacture and no person may cause to be manufactured any of the items listed in this schedule in a basis weight or thickness, area or weight per unit greater than the maximum specified for such use." All commercial printing which a government causes to be produced under this order must be in compliance with Schedule I of Order L-241.

(r) *Records.* In order to secure compliance with this order, every government (except the United States Government) must calculate, as accurately as it can, the tonnage of paper which it used during the base period for the items covered by this order. It must also keep accurate records of this type of information for each 12-month period beginning July 1, 1944, or for each fiscal year commencing after June 30, 1944. It must preserve these figures and its work sheets, subject to inspection by War Production Board officials, as long as this order remains in force and for two years after that.

(s) *Applicability of regulations.* This order and all transactions affected by it are subject to all present and future regulations of the War Production Board.

(t) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in duplicate referring to the particular provision appealed from and stating fully the grounds of the appeal.

(u) *Communications.* All communications concerning this order shall be addressed to the War Production Board, Printing and Publishing Division, Washington 25, D. C., Ref: L-340.

(v) *Violations.* Any person who willfully violates any provision of this order or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control, and may be deprived of priorities assistance.

Issued this 21st day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12638; Filed, August 21, 1944;
4:16 p. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 3 as Amended Aug. 22, 1944]

§ 944.23 *Priorities Regulation 3—(a) Purpose of this regulation.* This regulation states the rules for the use of preference ratings, what kind of purchase orders or services may be rated and how a rating may be put on an order. It also places restrictions on the use of ratings and includes lists of products for which ratings may not be used at all or for which certain kinds of ratings may not be used. In general this regulation should be consulted before using a rating whether it was gotten directly from the War Production Board or from a customer.

(b) *Definitions.* For the purposes of this regulation:

(1) "Person" and "material" mean the same thing they do in Priorities Regulation 1.

(2) "Assignment" of a preference rating. A preference rating is assigned to a person when the War Production Board or someone that it has authorized issues an order or preference rating certificate giving him the right to use the rating.

(3) "Application" of a preference rating. A preference rating is applied when the person to whom it is assigned uses the rating. A rating is applied also when any governmental agency which is authorized by the War Production Board rates an order for delivery of material directly to it.

(4) "Extension" of a preference rating. A preference rating is extended when it is used by the person to whom it is applied or extended by another person.

(c) *Use of ratings in general.* (1) When a regulation, preference rating

order or preference rating certificate assigns a rating to any person, either by naming him or by describing the class of persons to which he belongs (as is done in the schedules to CMP Regulation 5), that person may apply the rating to get delivery of material or the performance of certain services. Also, a person may under certain conditions extend a rating which has been applied or extended to his deliveries of material, but not one applied to services. More detailed rules as to how and when ratings may be applied or extended are set out below in this regulation.

(2) When a War Production Board order or certificate states the quantities and kinds of material or the particular services which are rated, the person to whom it is assigned may use the rating to get only that quantity and kind of material or that particular service named in the order or certificate. If the quantities of material are not stated in the order or certificate assigning the rating it may be applied only to get the minimum amount needed.

(3) No person may place rated orders for more material than he is authorized to rate even though he intends to cancel some of the orders or reduce the quantity of material ordered to the authorized amount before it is all delivered.

(d) *When ratings may be extended for material.* The following provisions of this paragraph (d) apply to all extensions of preference ratings to get deliveries of material, unless they are modified by or are inconsistent with the provisions of any particular order.

(1) A manufacturer of Class B products under the Controlled Materials plan and a holder of Form WPB-2613 (formerly PD-870) may not extend his customers' ratings (except AAA) as explained in more detail in CMP Regulation 3 and in Priorities Regulation 11B.

(2) When a person has received a rated order for the delivery of material, he may extend the rating to get the material which he will deliver on that order, or which will be physically incorporated in material which he will deliver. If the material is to be processed, this includes the portion of it which would normally be consumed or converted into scrap or by-products in the course of processing.

(3) If a person has made delivery of material, or has incorporated it into other material which he has delivered on a rated order, he may extend the rating to replace it in his inventory. However, if after delivering the material he still has a practicable working minimum inventory he may not extend the rating to replace the material delivered; and if by making the delivery his inventory is reduced below this minimum, the rating may be extended to get only the amount necessary to restore the inventory to a practicable working minimum. Any material ordered to replace in inventory must be substantially the same as the material which the person delivered or incorporated in the material which he delivered, except for minor variations in size, shape or design. Substitution of less scarce materials which

do not substantially alter the purpose for which the material is to be used is, however, permitted. The Conservation Division of the War Production Board from time to time publishes a list showing the relative scarcity of materials, entitled "Materials Substitution and Supply List." The latest copy may be obtained from any War Production Board office.

(4) A person to whom a rating has been applied or extended to get material may not extend that rating to get containers or closures to pack the material except as permitted by any order in the Containers, Part 3270, Series (Orders P-140 and P-146 are the only ones that now permit the extension of such ratings). Nor may he extend such rating to get any material for his own plant improvement, expansion or construction, or to get machine tools or other items which he will carry as capital equipment, or to get business machines for his own use whether purchased or leased, or to get maintenance, repair or operating supplies for his own use. Other orders or regulations, such as CMP Regulation 5 and some orders in the "P" series, assign ratings which may be used by the proper persons to get maintenance, repair or operating supplies and minor capital additions.

(e) *Additional restrictions upon use of ratings for certain materials.* Because of special circumstances which exist with respect to certain materials and products, the use of preference ratings to get items on Lists A or B attached to this regulation is restricted as follows:

(1) *Items as to which preference ratings have no effect; List A.* Any item on List A may be produced or delivered without regard to preference ratings. No person shall apply or extend any rating to get any of these items and no person selling any such item shall require a rating as a condition of sale. Any rating purporting to be applied or extended to any such item shall be void and no person shall give any effect to it in filling an order.

(2) *Items to which blanket MRO ratings do not apply; List B.* Blanket MRO ratings may not be applied to get any item on List B, except as permitted by the list. A blanket MRO rating means a rating assigned by CMP Regulation 5 or 5A, or by any other War Production Board regulation, order (including an order in the "P" series), form or certificate which assigns a rating for maintenance, repair or operating supplies without specifying the kind and quantity of the material to which the rating may be applied. Where the quantity of material is specified in terms of dollar value only, the rating is a blanket MRO rating. No person shall give any effect to any rating applied to his deliveries of any item on List B if he knows or has reason to believe that it is a blanket MRO rating. Any blanket MRO rating applied to an order for any item on List B which was not delivered before the date the item was added to the list shall be deemed void. The restrictions of this paragraph are not applicable when the blanket MRO rating is applied to get an item on the list for use on board ship,

but in such a case the rating may not be extended by the person to whom it is applied.

(3) *Illustration.* A manufacturer of a product listed in Schedule II of CMP Regulation 5 is assigned a rating of AA-2 for operating supplies. He may not use the rating to buy wooden shelving for his own use since it is on List B. A contractor has received an order bearing a rating of AA-3 to install wooden shelving in an Army camp. He may extend that rating to get the wooden shelving from the manufacturer since in this case the shelving is production material as to him and not operating supplies. If, however, wooden shelving were on List A instead of List B, neither rating could be used.

(f) *Use of ratings for services—(1) Ratings may not be used for personal services.* Preference ratings may never be used to get labor or personal services as distinct from services performed in the course of a regular business involving the use of plant, machinery or equipment owned by the person furnishing the services. For example, ratings may be used to get a repair job done in a repair shop as explained below but may not be used to compel an individual employee to work on a repair job or to obtain the services of a consulting engineer.

(2) *Three cases where ratings may be used for services.* There are only three situations in which a preference rating may be used to get services, as distinct from the production or delivery of material:

(i) *A rating assigned for the purpose.* If the War Production Board assigns a rating to a named person to get specified services, he may use the rating for that purpose.

(ii) *For processing.* When a person has a rating which he may use to get processed material, he may (unless prohibited by another regulation or order) furnish the unprocessed material to a processor and use the same rating to get it processed.

(iii) *For repairs.* A blanket MRO rating may be applied by the person to whom it is assigned to get his plant, machinery or equipment repaired even if the repair job does not involve the delivery of repair parts or materials. See paragraph (e) (2) for definition of a blanket MRO rating. A rating assigned on Form WPB-541 (formerly PD-1A) or WPB-542 (formerly PD-3A), or any other rating which may be applied to the delivery of specific repair parts or materials, may also be applied to the installation of the repair parts or materials or to the repair job alone if it is found that installing the parts or materials is not necessary. However, in the case of ordinary plumbing, heating, electrical, automotive or refrigeration repairs, a rating may not be applied to repair work even if the rating is expressly applicable to repair parts or materials. As used in this subparagraph, "repair" means to fix a plant, machinery or equipment after it has broken down or when it is about to break down. "Repair" does not mean upkeep or maintenance service such as periodic inspection, cleaning, painting, lubricating, etc.

(3) *Ratings for services only may not be extended.* A person to whom a rating for services, as distinct from the production or delivery of material, has been applied or extended may not extend the rating for any purpose.

(g) *How to apply or extend a rating.*

(1) When a person applies or extends a preference rating he must put the rating (and symbol, if appropriate) on the order together with a certification signed as prescribed in Priorities Regulation 7. He may use the standard certification set out in that regulation, or if he prefers the following:

CERTIFICATION

The undersigned purchaser hereby represents to the seller and to the War Production Board that he is entitled to apply or extend the preference ratings indicated opposite the items shown on this order, and that such application or extension is in accordance with Priorities Regulation 3 as amended, with the terms of which the undersigned is familiar.

(Name of Purchaser)

(Address)

By _____
(Signature and Title of
Duly Authorized Officer)

(Date)

The person who receives the certification shall be entitled to rely on it as a representation of the buyer unless he knows or has reason to know that it is false.

Note: (Subparagraphs (2) and (3) deleted April 25, 1944. They are superseded by paragraphs (o) and (p) of Priorities Regulation 7, which state the rules for placing rated orders orally or by telephone or telegraph.)

(4) When a person applies or extends a rating he shall also include on his purchase order or contract any information which may be required by any applicable War Production Board order. However, he is not required to include the serial number of the preference rating certificate assigning the rating.

(5) Each person who applies or extends a rating must keep at his regular place of business all documents including purchase orders and preference rating orders and certificates which authorize him to apply or extend the rating. These documents, orders and certificates must be kept in such a way that they can be readily segregated and furnished to representatives of the War Production Board for inspection.

(6) When either certification authorized in this paragraph (g) is used it will not be necessary to use any other certification in order to apply or extend a preference rating, nor will it be necessary to furnish a copy of any preference rating order no matter what any regulation, preference rating order or preference rating certificate says unless it expressly states that this regulation does not apply. This does not affect the requirements of Priorities Regulation No. 9 (§ 944.30) when ratings are applied to certain types of exports, in which case its terms control.

(7) No person shall knowingly purport to apply or extend a preference rating

ing to any order unless he is entitled to do so. No person shall apply or extend a rating for material or services after he has received the material or after the services have been performed, and any person who receives such a rating shall not extend it.

(h) *Provisions applicable to extensions; deferment and grouping.* No matter what any applicable preference rating order or certificate may say,

(1) No person may extend any rating to replace inventory after three months have passed from the time he could have first extended it;

(2) When a person has two or more ratings of the same grade which were assigned by different preference rating certificates or orders he may combine them and extend them to one delivery; and

(3) When a person has two or more ratings of different grades, or where they were assigned by the same or different certificates or orders, he may extend them to deliveries under one purchase order. However, the purchase order must show the amount of each material to which a particular grade of rating is extended. If the type and quantity of the material is such that the supplier can readily determine the exact effect of the extension of the rating on his production and delivery schedule from percentage figures alone, then the purchase order may show the amount of the material to which the particular grade of rating is extended on a percentage basis; otherwise, it must be shown as a separate item. In order to avoid production or delivery of material in quantities smaller than the minimum commercially practicable a person may combine ratings of different grades and extend the rating of the lowest grade to the total production or delivery.

(i) *Restrictions in other orders.* When any person applies or extends a rating he shall be subject to any applicable rule or restriction which may be set forth in the order of the War Production Board which assigns the rating or any other order which regulates transactions in the material or the facilities for which he is using the rating. This includes restrictions as to the kind and amount of material to which ratings may be applied or extended, requirements for written approval of any particular transaction, restrictions on certain uses of material or facilities and any other rules which may be applicable to the particular transaction. However, the rules of paragraphs (g) (4) and (g) (6) apply unless some other order or certificate expressly says that they do not.

Issued this 22d day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

The following items may be delivered without regard to any War Production Board preference ratings:

Chemicals of the following types manufactured or produced for exclusive use in the petroleum industry, as petroleum industry is defined in Preference Rating Order P-98-b:

a. Antioxidants (gum inhibitors) for motor fuels.

b. Chemical additives and compound bases for heavy duty gasoline engine, diesel engine and aviation engine oils.

c. Chemical additives and compound bases for hypoid gear oils.

d. Synthetic catalysts for oil cracking operation.

e. Synthetic catalysts for cumene and co-dimer manufacture.

f. Synthetic catalysts for petroleum isomerization operations.

g. Synthetic catalysts for petroleum sweetening operations.

Communications services.

Dental burs.

Electric energy.

Gas, manufactured combustible, of the type generally distributed by utilities.

Gas, natural.

Petroleum; restricted products as defined in Order M-201.

Steam heating, central.

Sterilizer equipment, as defined in Order L-266.

Track-laying tractor repair parts (See Limitation Order L-53-b).

Ice.

Tobaccos.¹

Vegetable, fish, marine animal and animal fats and oils, whether edible or inedible, and including their by-products and residues (whether resulting from refining, distillation, saponification, pressing or setting).¹

Sulfated, sulfonated, and sulfurized fats and oils.¹

Tall oil.¹

Wool grease.¹

Soap (other than metallic).¹

Fatty acids.¹

Food for human or animal consumption.¹

Glycerine.¹

Graphite crucibles.

Pig iron.

Alarm clocks.

Waste paper.

Water.

Containerboard, as defined in Order M-290.

Low and high temperature fractional distillation equipment for gas and gasoline analysis.

Roofing granules.

LIST B

Blanket MRO ratings, as defined in paragraph (e) (2), may not be used to obtain the items on this list. If a rating is needed to get a specified quantity of any product on the list, application may be made on Form WPB-541 (formerly PD-1A) or on any other form which may be designated for a particular product or for use by a particular person in a War Production Board order.

Adhesive tape backed with cellophane or similar transparent material derived from cellulose.

Animal traps.

Anti-freeze, all types.

Athletic and sport equipment.

Auger Bits, Type 1 as defined in Schedule VIII to Order L-157.

Automotive maintenance equipment as defined in Limitation Order L-270.

Automotive replacement batteries as defined in Limitation Order L-180.

Automotive replacement parts as defined in Limitation Order L-158.

Award emblems, badges, buttons and other similar award pins (not including identification badges).

Blowers and industrial vacuum cleaners governed by Limitation Order L-222.

Capping, closing and sealing machinery and equipment for cans, jars and bottles (other than screw capping machines) having a retail sales value of \$25 or more, inclusive

¹Subject to War Food Order 71 (formerly FD Regulation No. 1) of the War Food Administration.

of motor, as listed in Schedule A of Order L-332 (except for replacement of existing machinery or equipment).

Cast iron ware, as defined by Limitation Order L-30-c.

Cellophane and cellulose acetate film less than three one thousandths (0.003) of one inch thick.

Cellulose caps or bands of any gauge.

Chemicals listed in Direction No. 5 of this regulation. (See that direction for MRO ratings which may be used.)

Chinaware.

Civilian defense devices: any device, equipment, instrument, preparation or other material designed or adapted for use in connection with:

a. Air raid warnings or detection of the presence of enemy aircraft; or

b. Blackouts or dimouts; or

c. The protection of civilians, either individually or collectively, against enemy action or attack.

Clocks and watches.

Clock and watch repair materials including mainsprings.²

Closures and closing devices required for packaging products to be shipped or delivered, as follows:

a. Closures for glass containers.

b. Gummed stay and sealing tape, paper and cloth.

c. Paper and paperboard bottle caps, closures, and hoods.

Containers, fabricated (in knock-down or set-up form, whether assembled or unassembled) required for packaging products to be shipped or delivered. For the purpose of this item the word "containers" shall not include steel strapping, shipping reels and skids, or any item which is specifically excluded from the following sub-items (such as "shell containers" in sub-item f.). It shall, however, include but is not limited to:

a. Bags, all types, and specialty envelopes (including those made of paper, textile, combinations of materials, transparent films, metallic foils, parchment, kraft or sulphite).

b. Baskets and hampers.

c. Cans, as defined in Order M-81.

d. Collapsible tubes.

e. Cooperage, tight and slack.

f. Fibre cans, fibre tubes (except shell containers), fibre bottles, fibre mailing cases, and fibre drums.

g. Folding and set-up boxes (paperboard).

h. Gas cylinders, as defined in M-233.

i. Glass containers.

j. Ice cream cans (paperboard) and paraffin cartons and pails.

k. Paper cups and paper food containers, except as permitted by Order L-336.

l. Paper milk containers.

m. Steel shipping drums as defined in Order L-197.

n. Wooden and fibre inner containers.

o. Wooden and fibre shipping containers and parts, as defined in Order F-140.

Corrugated and solid fibre sheets, not constituting "fibre shipping containers" as defined in Order P-146.

Cutlery, as defined in any order of the L-140 series.

Electrical appliances as defined in Order L-65.

Electronic heating generators.

Electronic intercommunicating systems, including public address systems.

Enameled ware, as defined by Limitation Order L-30-b.

Filing cabinets, wooden.

Fire protective equipment, including

a. Couplings, playpipes and allied fittings;

b. Fire hose, hose dryers, racks and reels;

c. (Revoked.)

²It is not contemplated that any preference ratings will be assigned by the War Production Board on Form WPB-541 for clock and watch repair materials including mainsprings.

d. Fire pumps;
 e. Fire sprinkler systems;
 f. Foam generators;
 g. Indicator posts;
 h. Lightning rod systems;
 i. Piped extinguishing systems;
 j. Portable fire extinguishers;
 k. Stirrup pumps;
 l. Water spray nozzles.
 Flatware.
 Frying pans.
 Fuel.
 Furniture for any use, except furniture specifically designed for schools.
 Galvanized ware and non-metal coated metal articles as governed by Limitation Order L-30-a (except for funnels, oil and gasoline cans having a capacity of from 1 to 5 gallons, inclusive, and flexible spout measures).
 Glass tableware.
 Glass tumblers.
 Industrial air circulators, new.
 Kitchen ware, heavy duty (except ratings applied by a food "processor" as defined in Order L-292:
 a. Bakery utensils;
 b. Butcher benches;
 c. Butcher blocks;
 d. Canopies or hoods;
 e. Carriers, food;
 f. Carriers, tray;
 g. Coffee mills and grinders;
 h. Counters, cafeteria, lunch and serving;
 i. Counter protectors;
 j. Cutters, french fry;
 k. Cutters, meat, bone and fish;
 l. Dispensers, milk and cream;
 m. Display racks;
 n. Dough dividers;
 o. Dough troughs;
 p. Knife sharpeners and grinders;
 q. Pans, cold;
 r. Potato mashers;
 s. Potato and vegetable parers or peelers;
 t. Racks, bread (bakery);
 u. Racks, dump (bakery);
 v. Racks, pans (bakery);
 w. Sandwich units;
 x. Slicers, meat and bread;
 y. Tables, bakers;
 z. Tables, cooks, chef, salad and work;
 aa. Tables, soiled and clean dish;
 bb. Toaster stands;
 cc. Tray stands;
 dd. Trucks, food;
 ee. Urn stands;
 Insulation blowing machines complete (new only), and the following parts thereof:
 (a) Internal combustion engines, or electric motors.
 (b) Blowers.
 (c) Speed reduction units.
 Kitchen household and miscellaneous articles governed by Limitation Order L-30-d.
 Laboratory instruments and equipment, including parts thereof. (Except ratings assigned by Preference Rating Orders P-43, P-68, P-89, and P-98-b, and ratings assigned pursuant to Orders P-56, P-58 and P-73.)
 Lawn mowers, including power and gang mowers.
 Lighting fixtures, fluorescent (as defined in Order L-78), and incandescent (as defined in Order L-212), and electric floodlights. Blanket MRO ratings of AA-2 or higher may, however, be used.
 Lockers, wooden, for offices and factories.
 Medical, surgical and dental equipment and supplies (except parts for the maintenance or repair of existing equipment) including:
 a. Anaesthesia and oxygen equipment and accessories;
 b. Atomizers;
 c. Clinical thermometers;
 d. Crutches;
 e. Dental consumable supplies;
 f. Dental equipment and appliances (except dental lathes);

g. Diagnostic instruments and apparatus;
 h. Electric light bulbs for diagnostic instruments;
 i. Hearing aids;
 j. Hospital and medical rubber drug sundries, except surgeons' gloves when acquired in accordance with Appendix III of Order R-1.
 k. Hospital enamelware and stainless steel ware;
 l. Hypodermic needles and syringes;
 m. Operating and examining room furniture;
 n. Operating and examining room lights;
 o. Ophthalmic goods.
 p. Orthopedic appliances including splints, belts and trusses;
 q. Physical therapy equipment and supplies;
 r. Sterilizers;
 s. Surgical dressings;
 t. Suture needles;
 u. Sutures;
 v. X-ray equipment and supplies.
 Medical, surgical and dental instruments.
 Medicinal preparations, including vitamins.
 Monorail system and additions thereto, except one complete addition valued at less than \$200.00.
 Pails and tubs, wooden, including wooden mop pails.
 Paper and paperboard and products manufactured therefrom and molded pulp products; excluding carton paper, tracing paper, reproduction paper, sensitized paper, engineering graph paper, chemically treated paper for engineering use, litmus paper and filter paper and paper tags.
 Paper charts for recording instruments.
 Pencils, mechanical.
 Pencils, wood cased.
 Pens, fountain.
 Pen holders.
 Pen nibs, steel.
 Photographic film sensitized, as controlled by Order L-233.
 Pins, common and safety.
 Precision measuring instruments and testing equipment—Preference Rating Order E-9.
 Printing and publishing:
 a. Printed matter including items such as letterheads, envelopes, forms and printed and ruled stationery;
 b. Processed printing plates;
 c. Type metal, stereotyping metal and electrotype backing-metal;
 d. Printing paper, paperboard and binders board;
 e. Book cloth;
 f. Blankbook and loose-leaf binders, metal parts and units;
 g. Mechanical bindings.
 Radio transmitters, receivers and transceivers.
 Refrigeration and air conditioning systems and parts, except as permitted by Order L-39.
 Signal and alarm equipment, including:
 a. Central Station, proprietary, auxiliary and automatic fire alarms;
 b. Watchman's time recording, burglar, bank vault, holdup and intrusion systems.
 Slide rules, precision engineering, having a list price of \$7.50 or more.
 Venetian blinds.
 Wire intercommunicating systems.
 Wooden shelving.
 Woodworking machinery, Class I, as defined in Order L-311.

NOTE: Lists A and B of this regulation will, in general, be revised on or about the 15th of every second month. Another revision may be expected about October 15, 1944.

INTERPRETATION 1, REVOCATION

Interpretation 1 of Priorities Regulation 3 is hereby revoked. (Issued Nov. 17, 1943.)

INTERPRETATION 2

EFFECT OF LISTS A AND B ON UNFILLED ORDERS

The restrictions on the use of ratings for the items on Lists A and B apply to orders for such items which had been placed before the date the item was put on the list but were not yet filled. (Issued Nov. 17, 1943.)

INTERPRETATION 3

FIRE PROTECTIVE EQUIPMENT

Blanket MRO ratings may be used to obtain repair parts and material for existing fire protective equipment, but may not be used to obtain end items of fire protective equipment. The term "Fire protective equipment", on List B attached to Priorities Regulation 3, includes only end items and does not include materials or parts required for the repair or maintenance of existing fire protective equipment.

For example, a fire extinguisher or a fire hose coupling is an end item of fire protective equipment and therefore may not be obtained on blanket MRO ratings, whereas a part required to repair an extinguisher or coupling is not an end item and therefore may be obtained on blanket MRO ratings. Similarly, blanket MRO ratings may not be used to obtain a fire sprinkler system nor to extend an existing sprinkler system, but such ratings may be used to repair or replace sprinkler heads which have been opened up by fire or damaged in any other way. However, blanket MRO ratings may not be used to repair or replace new equipment which is still usable. (Issued Feb. 26, 1944.)

INTERPRETATION 4

CMPL-224 AND CMPL-127 AUTHORIZATIONS

A great many orders of the War Production Board permit the delivery of materials pursuant to preference ratings assigned by a P-19-h Order, or by an order in the P-19 series. Forms CMPL-224 and CMPL-127 are generally used in place of orders in the P-19 series. It is expressly stated on Form CMPL-224:

"This authorization is issued in lieu of preference rating order of the P-19 series. Any reference in any order of the War Production Board to said preference rating orders shall constitute a reference to this authorization."

It is set forth in CMPL-127:

"This authorization is issued in lieu of Preference Rating Order P-19-h or P-55. Any reference in any order of the War Production Board to said Preference Rating Order P-19-h or P-55 shall constitute a reference to this authorization."

Consequently, it is proper for any person to deliver material or equipment pursuant to a rating assigned by Forms CMPL-224 or CMPL-127, if he is permitted under existing orders of the War Production Board to deliver said material pursuant to a rating assigned by a P-19-h order or an order in the P-19 series. (Issued Aug. 13, 1943.)

INTERPRETATION 5

RESTRICTIONS OF OTHER ORDERS; "MASKING" TAPE

(a) *Restrictions of other orders on use of ratings or delivery.* The provisions of paragraph (c) relate only to the items which appear on the lists. When any other order of the War Production Board restricts the use of preference ratings to obtain any product, or restricts delivery of a product in any way, these restrictions are applicable even though that product is not listed in Priorities Regulation 3 (§ 844.23). This rule specifically applies to the items which were on List C before the amendment of August 10, 1943.

(b) *"Masking" tape.* Blanket MRO ratings may be used to get industrial pressure sensitive adhesive tape (paper and cloth), also called "masking" tape. This type of

tape is not included in "Gummed stay and sealing tape, paper and cloth."

This interpretation is not applicable to adhesive tape backed with cellophane or similar transparent materials derived from cellulose which may not be obtained with blanket MRO ratings. (Issued Dec. 18, 1943.)

INTERPRETATION 6

EFFECT OF PREFERENCE RATING CERTIFICATE REFERRING TO PRODUCT OF A PARTICULAR MANUFACTURER

(a) When a preference rating certificate in assigning a rating to a product describes the product by its trade name or by the manufacturer's name and catalogue number, the rating may ordinarily be used to get the product from any manufacturer if the model actually obtained is substantially identical in size, operation and function with that named in the certificate.

(b) The rule stated in the preceding paragraph is consistent with the statement in paragraph (c) (2) of Priorities Regulation 3 (§ 944.23), that a preference rating may be applied only to the specific quantities and kinds of material authorized. Ordinarily a reference in a preference rating certificate to a particular product of a particular manufacturer is no more than a shorthand way of describing the product. It is safe to assume, unless the certificate clearly states otherwise, that what is being rated is a certain kind and size of product which may be obtained from any manufacturer who makes that kind and size. If it is intended to confine the rating to a particular product of a particular manufacturer, the certificate should say so explicitly. (Issued Sept. 8, 1943.)

INTERPRETATION 7

LIMITATIONS ON THE RIGHT TO USE RATINGS TO GET MATERIALS PROCESSED

(a) *What this interpretation covers.* This interpretation explains the limitations on the use of a preference rating assigned to the delivery of a material to get material processed under paragraph (f) (2) (ii) of the regulation.

(b) *Controlled materials.* Preference ratings cannot be used to buy controlled materials (steel, copper, and aluminum in controlled material form) from a producer or warehouse and consequently no rating may be used to get material processed into a controlled material by a producer or warehouse. There is one exception to this general rule which is covered by paragraph (d-1) of CMP Regulation No. 8, which assigns a preference rating to steel producers for use in getting steel processed into a controlled material form.

(c) *Class B products.* Paragraph (g) (3) of CMP Regulation No. 1 prohibits allotments of controlled materials to B product manufacturers except by the War Production Board and, as explained in Interpretation No. 16 to CMP Regulation No. 1, also prohibits a customer from furnishing controlled materials to a B product manufacturer. A special exception to this general rule is provided in Direction 36 to CMP Regulation No. 1. In all cases not covered by the exception, it is improper for a person to furnish controlled materials to a B product manufacturer for processing and consequently no preference rating can be used to get such processing done. In this connection, attention is called to the fact that all products, whether Class A products or Class B products, which are bought for use as maintenance, repair, or operating supplies are treated as though they were Class B products. This is covered by paragraph (k-1) (2) of CMP Regulation No. 1. As pointed out in Interpretation No. 13 to CMP Regulation No. 1, a Class A repair part is handled on a Class B basis and therefore

paragraph (g) (3) of the regulation is applicable.

(d) *Ratings not to interfere with authorized controlled material orders.* While a person who has been assigned a rating to get material may use the rating to get the use of the facilities of a controlled materials producer to have the material processed (if the material, when processed, is not a controlled material) rated orders for the use of a controlled materials producer's facilities must not interfere with the acceptance, production, or delivery of orders which he is permitted to fill under paragraph (t) (3) of CMP Regulation No. 1. Attention is called to Interpretation No. 4 to Priorities Regulation No. 1 on this subject. (Issued Nov. 18, 1943.)

INTERPRETATION 8

ELECTRONIC INTERCOMMUNICATING SYSTEMS AND WIRE INTERCOMMUNICATING SYSTEMS

List B of Priorities Regulation 3 (§ 944.23) forbids the use of blanket MRO ratings to obtain electronic intercommunicating systems or wire intercommunicating systems. This restriction applies only to getting systems not yet installed. Therefore, blanket MRO ratings may be used to obtain repair parts and materials for existing intercommunicating systems. Also, those blanket MRO ratings which may be used for minor capital additions, may within prescribed dollar limits be used to add stations to an existing intercommunicating system to bring it to its designed capacity. Thus, if an intercommunicating system is designed for 16 stations, with only 12 stations originally installed, four stations may be added by the use of blanket MRO ratings. However, an expansion beyond the 16 stations, or any enlargement of or an extension beyond the designed capacity, may not be obtained by use of blanket MRO ratings.

In conjunction with the above interpretation, it should be pointed out that a related item, signal and alarm equipment, also appears on List B of Priorities Regulation 3. With respect to signal and alarm equipment, blanket MRO ratings may be used to get parts and materials for repair and maintenance of existing equipment. However, since signal and alarm equipment is generally installed without a specific margin of unused designed capacity, no additions or extensions by the use of blanket MRO ratings are permitted. (Issued Jan. 6, 1944.)

INTERPRETATION 9

CERTAIN MRO RATINGS ASSIGNED UNDER P-98-b ARE NOT BLANKET MRO RATINGS

Paragraph (e) (2) of Priorities Regulation 3 prohibits the use of a "blanket MRO rating" to get any item on List B. See that paragraph for a definition of a "blanket MRO rating". Some of the items which are on List B also appear on Schedule B of Preference Rating Order P-98-b. That schedule provides a way to get a rating for the items which appear on it so that such P-98-b ratings will not be "blanket MRO ratings". These ratings are assigned to specific purchase orders for a specific kind and quantity of the material desired.

Therefore, when a rating assigned pursuant to Schedule B of P-98-b (as evidenced by the symbol MRO-P-3) is applied to a purchase order for any item which is set out on Schedule B of that order that rating is valid, despite the fact the item is also on List B of Priorities Regulation 3.

The order does not require the purchaser to furnish a copy of his approved purchase order to the supplier, and the supplier should give effect to the rating and certification unless he knows or has reason to believe that the purchase order has not been rated as provided in Schedule B of Order P-98-b. (Issued Jan. 24, 1944.)

INTERPRETATION 10

USE OF RATING TO OBTAIN LEASED MACHINERY

(a) A preference rating which has been assigned for the delivery of an item of machinery or equipment may be used to lease the equipment as long as the following conditions are fulfilled:

(1) The lease must be a long-term semi-permanent arrangement where both parties contemplate the comparatively permanent installation of the machine or equipment. For instance, a rating could be used to obtain a machine under lease where the lease was for one year, with provision for renewal at the end of each year, and both parties expected that the lease would be renewed from time to time. However, the rating could not be used to obtain a machine for a month's use.

(2) If the rating is limited by specific dollar amount, it may be used only to lease machinery or equipment whose fair market value is no greater than the amount specified. For example, CMP Regulation No. 5 assigns a rating for the purchase of minor capital additions not exceeding \$500. This rating can be used to lease a machine if its fair market value is not more than \$500.

(b) If the instrument assigning the ratings specifies a lease rather than a purchase, it is not necessary to comply with the above conditions. (Issued April 25, 1944.)

INTERPRETATION 11

IDENTIFICATION OF BLANKET MRO RATINGS

Generally speaking, ratings accompanied by the symbol "MRO" are blanket MRO ratings when they are applied to get an item on List B of Priorities Regulation 3. Therefore, any person receiving an order for a List B item bearing a rating accompanied by the symbol "MRO" must assume that the rating is a blanket MRO rating and give it no effect, unless the person who applied or extended it demonstrates (1) that it is not a blanket MRO rating or (2) that it is an extension of a blanket MRO rating applied on an order which was filled before the item was added to List B. (See paragraph (a) (2) of Priorities Regulation 3 for definition of "blanket MRO rating.")

It should not be assumed, however, that all blanket MRO ratings are accompanied by the "MRO" symbol. Several "F" and "U" Orders assign blanket MRO ratings which are accompanied by symbols other than "MRO." For example, a blanket MRO rating is assigned by Preference Rating Order P-68, but the symbol accompanying the rating is "S-8".

The question has been raised whether the War Production Board assigns the symbol "MRO" in connection with the assignment of a rating on Form WPB-641 (PD-1A) for a List B item. The answer to this question is "No." Therefore, no rating which was assigned on Form WPB-641 for a List B item could properly be accompanied by the "MRO" symbol. (Issued April 25, 1944.)

INTERPRETATION 12

RECORDS OF EXPORTERS

Paragraph (g) (5) of Priorities Regulation No. 3 requires each person who applies or extends a rating to keep all documents including preference rating orders and certificates which authorize him to apply or extend the rating at his regular place of business. The Foreign Economic Administration and its predecessors, the Board of Economic Warfare and the Office of Economic Warfare, have assigned preference ratings to exporters for export by endorsing appropriate legends upon export licenses. The original of every export license, however, is required by other government regulations to be surrendered to export officials at the time of shipment. Consequently, persons who receive their assignments of preference ratings on export licenses are not in a position to retain the

original of the export license and thus are not required to do so by paragraph (g) (5) except only in those cases where other government regulations do not require the surrender to the government of the documents referred to. (Issued April 25, 1944.)

INTERPRETATION 13

TIME LIMIT ON USE OF RATINGS

Preference ratings may not be extended to replace material in inventory after three months from the time delivery was made to the customer. This is the rule of paragraph (h) (1) of the regulation.

When a rating is being applied (except a blanket rating such as one assigned by CMP Regulation 5) or when any rating is extended for some purpose other than to replace inventory, this may be done only within a reasonable time after the rating was received. Generally speaking, more than three months is deemed to be an unreasonable delay in the use of a rating. In a particular case there may be circumstances which make a reasonable time shorter or longer than three months. For example,

(1) A rating assigned to a construction project on a form which says when the rating expires (such as GA-1456 or CMPL 593) may be applied for material going into the project until the expiration date stated, even though more than three months may have elapsed.

(2) A rating assigned in connection with an export license may be applied as long as the license is valid and expires when the license expires or is revoked. (For explanation of this rule see Interpretation 2, Directive 27.)

(3) When a rating is applied to a long term contract (such as the construction of a ship), it may be extended for material needed to fill the contract, even though more than three months have elapsed.

(4) If the purpose for which the rating was assigned no longer exists, the rating may not be applied even though three months have not elapsed.

(5) When a rating is extended by a person to get material to deliver to his customer, or to incorporate in such material, the time within which it may be done will, in general, be controlled by the delivery date on his customer's order.

The fact that a person has not been able to get his rated order accepted by a supplier does not lengthen the time within which he may use his rating. [Issued June 23, 1944.]

[F. R. Doc. 44-12664; Filed, August 22, 1944; 11:35 a. m.]

PART 1111—RATIONING OF NEW COMMERCIAL MOTOR VEHICLES

[Supplementary General Conservation Order M-100-A, Revocation]

Section 1111.2 *Supplementary General Conservation Order M-100-A* is hereby revoked. This revocation does not affect any liabilities incurred under the order.

Issued this 22d day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12665; Filed, August 22, 1944; 11:34 a. m.]

PART 1157—CONSTRUCTION MACHINERY
[Limitation Order L-192, as Amended July 24, 1944, Amdt. 1]

CONSTRUCTION MACHINERY AND EQUIPMENT

Section 1157.10 *Limitation Order L-192* is amended as follows:

1. By adding to Schedule A the following item:

Dredges and dredge equipment, except mining.

2. By revising the item "Sweepers, street (including motor pick-up type)" on Schedule A to read as follows:

Sweepers: motor pick-up, traction driven or engine driven.

3. By revising the item "Brooms, contractors rotary" on Schedule B to read:

Brooms, rotary: tractor or truck mounted.

Issued this 22d day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12666; Filed, August 22, 1944; 11:34 a. m.]

PART 3289—RADIO AND RADAR DIVISION
[General Limitation Order L-265, Interpretation 3]

STATUS OF CERTIFICATE ORDERS

The following interpretation has been issued with respect to General Limitation Order L-265:

Purchase orders accompanied by either the "Consumer's Certificate" or the "Supplier's Certificate" specified in Order L-265 carry no priority by virtue of the certificate. They are unrated orders, and they must not be filled, therefore, to the prejudice of required deliveries on rated orders. The fact that a certificate order was placed earlier than a rated order does not give it any kind of preference. Shipments on certificate orders cannot be made to any extent that they will prevent or interfere with required shipments on rated orders. Furthermore, certificate orders do not give rise to any preference ratings. Ratings cannot be applied or extended by suppliers simply on the basis of certificate orders on hand.

Issued this 22d day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-16667; Filed, August 22, 1944; 11:34 a. m.]

PART 3291—CONSUMERS DURABLE GOODS
[Limitation Order L-136, as Amended Aug. 22, 1944]

CHURCH GOODS

§ 3291.250 *Limitation Order L-136—*

(a) *Definitions.* For the purposes of this order:

(1) "Church goods" means any article of religious devotion or significance and any article imbued with patterns of religious significance.

(2) "Class A product" means any church goods essential and necessary for the purpose of conducting religious services or of such character as to have definite devotional significance.

(3) "Class B product" means any church goods not recognized by the churches as being articles ordinarily used for religious devotion, including but not limited to, articles designed for decorative purposes, religious jewelry or articles imbued with patterns of religious significance designed to be worn on or about the person.

(4) "Restricted materials" means cadmium, chromium, copper and copper base alloys, lead, phenolic plastics, methyl methacrylate plastics, mercury, nickel, rhodium, rubber, tin and tinplate, zinc, and alloy steel (as defined in Conservation Order M-21-a, as amended).

(5) "Iron" and "steel" means all iron and steel except iron and steel contained in joining hardware.

(6) "Put into process" means for a person to perform the first manufacturing or assembly operation on material or parts received by him.

(7) "Manufacturer" means any person who is engaged in the production of church goods or parts therefor.

(b) *General restrictions.* (1) No manufacturer shall put any restricted materials into process in the manufacture or assembly of church goods, parts or repair parts for church goods, except the following materials for Class A products and parts for those products:

(i) Lead.

(ii) Tin for soldering if not prohibited by Order M-43.

(iii) Tin Plate, if not prohibited by Order M-21-e.

(iv) Zinc, as permitted by M-11-b.

(v) Chromium for direct plating on iron and steel.

(2) No manufacturer shall put into process, in any calendar quarter, in the manufacture or assembly of Class A products or parts (including repair parts) for those products, more iron and steel by weight than 12½% of the aggregate weight of iron and steel and other metals except gold and silver, put into process by him in the manufacture of those products and parts in 1940.

(3) No manufacturer shall put into process any iron and steel in the manufacture of any Class B products or parts for those products.

(c) *Certain Class A products exempted from quota restrictions.* The quota restrictions contained in paragraph (b) (2) do not apply to the manufacture or assembly of candlewick holders and bases and tops for altar or table sanctuary lights.

(d) *Applicability of other orders and regulations.* This order and all trans-

actions affected by this order are subject to the applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of church goods to a greater extent than does this order, the other order shall govern unless it states otherwise.

(e) [Deleted Apr. 26, 1944]

(f) [Deleted Apr. 26, 1944]

(g) [Deleted Apr. 26, 1944]

(h) [Deleted Apr. 26, 1944]

(i) *Violations.* Any person who willfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(j) *Exceptions and appeals—(1) Production under Priorities Regulation 25.* Any person who wants to put into process more iron and steel in the manufacture or assembly of Class A products or parts (including repair parts) than the quota fixed in paragraph (b) (2) (including a person who has no quota under this order), and any person who wants to put into process any iron and steel in the manufacture of Class B products or parts, may apply for permission to do so as explained in Priorities Regulation 25.

(2) *Appeals.* Any appeal from the provisions of this order, other than the restrictions of paragraphs (b) (2) and (b) (3), should be filed on Form WPB-1477 (in triplicate) with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates. No appeal should be filed from the restrictions of paragraphs (b) (2) or (b) (3).

(k) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref.: L-136.

Issued this 22d day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12670; Filed, August 22, 1944;
11:34 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L-176, as Amended
Aug. 22, 1944]

DOMESTIC AND COMMERCIAL ELECTRIC FANS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of materials and facilities for defense, for pri-

vate account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3291.135 Limitation Order L-176—

(a) *What this order does.* This order controls the manufacture and delivery of certain types of electric fans. It provides for the resumption of production of a limited quantity of 12 inch and 16 inch fans. Generally, it does not control heavy industrial type fans which are controlled by Limitation Order L-123.

(b) *Definitions.* For the purposes of this order:

(1) "Electric fan" means any propeller type fan designed for desk, pedestal, wall bracket, ceiling, or portable window mounting, which is powered by a fractional horsepower motor drawing 200 watts or less. It includes such fans whether completely assembled or assembled in knocked down form. It does not include any centrifugal fan or blower, propeller type attic fan, industrial propeller type exhaust fan or any fan which is a functional part of any equipment or device having a primary use other than ventilation.

(2) "Base period" means the aggregate of the years 1938, 1939 and 1940.

(3) "Manufacturer" means any person engaged in the business of manufacturing or assembling any electric fan or parts for an electric fan, including a person who assembles parts of an electric fan for sale in knocked down form, or any person engaged in that business during the base period.

(4) "Special order" means any purchase order, contract or subcontract for delivery of an electric fan to or for the account of the Army, Navy, Maritime Commission or War Shipping Administration if (i) the fan ordered conforms to applicable specifications for marine fans issued by the Navy or Maritime Commission, and (ii) the order, contract or subcontract states that the fan is for use on a combat or marine vessel.

(c) *Permitted manufacture of electric fans.* (1) No manufacturer shall make or assemble any electric fans except in models and quantities specifically authorized by the War Production Board on CMPL-150-b. Application should be made by filing Form WPB-3700 with the field office of the War Production Board for the district in which the plant where the fans are to be made is located.

(2) Manufacture of electric fans will be authorized so that the total production will not exceed the approved War Production Board program and so that the production in any one plant, or labor requirements therefor, will not interfere with war production in that plant, or in any other plant located in the same area. Each manufacturer permitted to produce electric fans under paragraph (c) (1) will be given two separate quotas, one for military and export requirements other than special orders and another for other orders. Wherever practical each manufacturer will be permitted to make his pro rata share of the total production authorized based on his production in the base period. However, to insure full production of approved requirements, additional quotas may be as-

signed to qualified manufacturers. In general, the War Production Board will only authorize the production of 12 inch and 16 inch electric fans, and no single manufacturer will be authorized to produce more than one model 12 inch fan and one model 16 inch fan. Approval of models will be based largely on economy of production and the volume of production of individual models by a manufacturer in the base period. The War Production Board will from time to time or on request of any manufacturer give notice to all manufacturers of the total production authorized and the percentage of base period production authorized to each individual manufacturer.

(3) Manufacturers who are unable to produce in their own plant because of interference with war production may apply to the War Production Board for permission to have another person make fans for them. Each application should be made by filing Form WPB-3700 in accordance with its instructions.

(d) *Certain production exempt.* The restrictions contained in paragraph (c) do not apply to the production or assembly of electric fans to fill special orders.

(e) *Effect on outstanding authorizations.* All authorizations for manufacture or assembly of electric fans issued by the War Production Board before May 24, 1944, on appeals or otherwise are hereby cancelled as of May 31, 1944.

(f) *Restrictions on deliveries of electric fans.* No manufacturer shall transfer or deliver any electric fan except:

(1) To fill special orders;

(2) To other manufacturers;

(3) As authorized by the War Production Board on Form WPB-1319 for hospital, institutional or essential industrial purposes in response to an application in quadruplicate filed with the nearest field office of the War Production Board; or

(4) As authorized by the War Production Board on Form WPB-1319 in response to an application filed in quadruplicate with the War Production Board, Washington 25, D. C., Ref.: L-176, (i) to fill Army and Navy orders other than special orders; (ii) for export; (iii) in all other cases not covered by paragraph (f) (3).

(g) *Restrictions on production of parts.* No manufacturer shall make any parts for an electric fan (including repair and replacement parts) if by making those parts he would have more parts of that type in his inventory than a three months' supply. However, a manufacturer is not required to make less than a minimum practical run of any part (including repair and replacement parts) in order to comply with the provisions of this paragraph.

(h) *Restriction on the use of copper and copper base alloy.* No manufacturer shall use copper or copper base alloy in the manufacture of electric fans or parts for electric fans except in current carrying parts; motor bearings; and for identification, instruction and data plates on fans made to fill special orders as permitted by M-9-c.

(i) *Preference ratings for purchase of electric fans prohibited.* No preference rating for electric fans shall be valid for

any purpose. All orders bearing preference ratings may be filled as unrated orders. This does not apply to any rating carried by a purchase order or contract calling for delivery (1) to fill special orders, or (2) to or for the account of the Army, Navy, Maritime Commission or War Shipping Administration when authorized on Form WPB-1319, pursuant to paragraph (f) (4).

(j) *Violations.* Any person who wilfully violates any provisions of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(k) *Exceptions and appeals—(1) Production under Priorities Regulation 25.* Any person who wants to make electric fans and who has not been authorized to make them on Form CMPL-150-b, or who wants to make more fans than he was authorized to make on Form CMPL-150-b may apply for permission to do so as explained in Priorities Regulation 25. A person may still, of course, apply on Form WPB-3700 for an authorization if he desires. Restrictions in paragraph (f) on deliveries apply to electric fans made under authorizations pursuant to Priorities Regulation 25.

(2) *Appeals.* Any appeals from the provisions of this order, other than paragraph (c), should be filed on Form WPB-1477 with the Field Office of the War Production Board for the district in which is located the plant to which the appeal relates. No appeal should be filed from the provisions of paragraph (c).

(l) *Applicability of other orders and regulations.* This order and all transactions affected by this order are subject to the applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of electric fans to a greater extent than does this order, the other order shall govern unless it states otherwise.

(m) *Communications.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref: L-176.

(n) *Reports.* Every manufacturer producing or shipping electric fans shall file Form WPB-1600, executed in accordance with the instructions for filing that form, with the War Production Board, Washington 25, D. C., Ref: Order L-176, on or before the 15th day of July, October, January and April. This form is a report of the number of electric fans made and shipped during the preceding quarter.

NOTE: The reporting and application requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 22d day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12668; Filed, August 22, 1944;
11:34 a. m.]

PART 3291—CONSUMERS DURABLE GOODS
[Limitation Order L-275 as Amended Aug. 22,
1944]

ALARM CLOCKS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of alarm clocks and materials and facilities for producing them; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3291.205 *Limitation Order L-275—*

(a) *What this order does.* This order governs the manufacture and distribution of new alarm clocks.

(b) *Definitions.* For the purposes of this order: "Manufacturer" means any person who produces or assembles, or who produced or assembled during the period 1936 to 1941, inclusive, any new alarm clocks, either spring driven or electrically operated.

(c) *Who may produce alarm clocks; how many may be made.* (1) After May 10, 1944, no manufacturer may produce, assemble, or deliver any new alarm clocks, either spring driven or electrically operated, except according to quarterly quotas authorized in writing by the War Production Board pursuant to an application on Form WPB-2719 (formerly PD-880), which each manufacturer must file with the War Production Board on or before the 10th day of May, and thereafter on or before the 15th day of June, September, December, and March, showing his proposed production and delivery for the next quarter.

(2) The War Production Board will assign production quotas to meet approved requirements. Total production which would exceed such requirements will not be authorized. No person will be authorized to produce alarm clocks if that production would interfere with his other war production. Production will be authorized so as to avoid increased labor requirements in labor shortage areas. The War Production Board will give notice to each manufacturer of the total and individual authorizations.

(3) In order to secure proper distribution of the supply of alarm clocks authorized to be produced under this order, the War Production Board may require manufacturers, as a condition to the right to produce alarm clocks, to sell specified quantities of those produced to other manufacturers who are presently found to be in a position to facilitate the distribution of these alarm clocks. In general, the number of alarm clocks required to be sold to such other manufacturers will be in relation to their vol-

ume of production in the period 1936 to 1941, inclusive. Manufacturers authorized to distribute alarm clocks under this paragraph may be required to distribute them in a manner required by the War Production Board.

(4) Alarm clocks may be delivered without regard to preference ratings. No person shall apply or extend any rating to get any alarm clocks and no person selling alarm clocks shall require a rating as a condition of sale. Any rating purporting to be applied or extended to delivery of alarm clocks shall be void and no person shall give any effect to it in filling an order.

(d) *What type of alarm clocks may be made.* Only alarm clocks authorized in writing by the War Production Board as to type of movement and style of case may be manufactured. In general, no manufacturer will be authorized to produce more than one type of spring wound, and one type of electrically operated, alarm clock. Approval of models will be based largely on economy of production and a minimum use of critical materials.

(e) *Reports.* The reporting and application requirements of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(f) *Applicability of other orders and regulations.* This order and all transactions affected by this order are subject to the applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of alarm clocks to a greater extent than does this order, the other order shall govern unless it states otherwise.

(g) *Violations.* Any person who wilfully violates any provision of this order or who in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(h) *Exceptions and appeals—(1) Production under Priorities Regulation 25.* Any person who wants to produce or assemble new alarm clocks and who has not been authorized to produce or assemble on Form WPB-2719, under paragraph (c) (1), and any person who wants to produce or assemble more new alarm clocks than he was authorized to produce or assemble on Form WPB-2719, may apply for permission to do so as explained in Priorities Regulation 25. The provisions of paragraph (c) (1) regarding the delivery of new alarm clocks and all the provisions of paragraphs (c) (3) and (d) apply to a person who receives an authorization under Priorities Regulation 25. A person may still, of course, apply on Form WPB-2719 under paragraph (c) (1) for au-

thorization to produce, assemble, or deliver alarm clocks.

(2) Appeals. Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal. No appeal should be filed from the provisions of paragraphs (c) (1) or (c) (2).

(i) Communications. All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref: L-275.

Issued this 22d day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12669; Filed, August 22, 1944;
11:35 a. m.]

PART 3291—CONSUMERS DURABLE GOODS [Limitation Order L-301 as Amended Aug. 22, 1944]

POWERCYCLES

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of iron and steel and other critical materials for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3291.291 Limitation Order L-301—
(a) Definitions. For the purposes of this order:

(1) "Powercycle" means any two or three wheeled vehicle (with or without side car or similar attachment) commonly known as a motor bike, motor scooter, or motor glide, propelled by an internal combustion engine having a displacement of less than 25 cubic inches. It shall not include motorcycles.

(2) "Powercycle manufacturer" means any person engaged in the business of producing or assembling powercycles or parts specifically designed for incorporation into powercycles.

(3) "Repair-part" means any part that is produced to replace a used or worn part, in a used powercycle.

(b) Restrictions on production. (1) No powercycle manufacturer shall produce or assemble any powercycle except pursuant to the specific authorization of the War Production Board granted in response to a letter of application.

(2) During the six months period beginning July 1st, 1943, and during each six months period thereafter, no powercycle manufacturer shall produce repair parts containing more weight of metal in the aggregate than 62½% of the aggregate weight of metal contained in the repair parts produced by him during 1942.

(c) Restrictions on transfer. No powercycle manufacturer shall transfer

the physical possession of or legal title to any powercycle which has never been sold to an ultimate consumer, except:

(1) In fulfillment of an order, contract or subcontract placed by or for the account of the Army or Navy of the United States, the War Shipping Administration, the United States Maritime Commission, the government of any country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act) and government agencies or other persons acquiring powercycles for export to any foreign country.

(2) Pursuant to specific authorization of the War Production Board on Form WPB-1319 (formerly PD-556).

(3) The War Production Board will not, in the absence of special circumstances, grant any authorizations for transfers to any persons unless they are directly engaged in the production of War material or require powercycles for intraplant or emergency use.

(d) Avoidance of excessive inventories. No manufacturer shall accumulate for use in the manufacture of powercycles inventories of raw materials, semi-processed materials or finished parts in quantities in excess of the minimum amount necessary to maintain production of powercycles at the rates permitted by this order.

(e) Applicability of other orders and regulations. This order and all transactions affected by this order are subject to the applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of powercycles to a greater extent than this order does, the other order shall govern unless it states otherwise.

(f) Violations. Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance.

(g) Communications. All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref: L-301.

(h) Exceptions and Appeals—(1) Production under Priorities Regulation 25. Any person who wants to produce or assemble more powercycles than he has been authorized to produce under paragraph (b) (1) (including a person who has no authorization under this order), and any person who wants to produce more repair parts than he is permitted to produce under paragraph (b) (2) may apply for permission to do so as explained in Priorities Regulation 25. He

may still, of course, apply for a specific authorization as described in paragraph (b) (1).

(2) Appeals. Any appeal from the provisions of this order other than the restrictions of paragraph (b) (1) or (b) (2) shall be made by filing a letter in triplicate with the War Production Board, Washington 25, D. C., Ref: L-301, referring to the particular provision appealed from and stating the grounds of the appeal. No appeal should be filed from the restrictions of paragraph (b) (1) or (b) (2).

Issued this 22d day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12671; Filed, August 22, 1944;
11:34 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 20, as Amended Aug. 22, 1944]

HEXAHYDRIC ALCOHOLS

§ 3293.1020 Schedule 20 to General Allocation Order M-300—(a) Definitions. "Hexahydric alcohol" means d-sorbitol and mannitol in crystalline form, and technical grade d-sorbitol.

(b) General provisions. Hexahydric alcohols are subject to the provisions of General Allocation Order M-300 as an Appendix C material. The initial allocation date is December 15, 1942, when hexahydric alcohols first became subject to allocation under Order M-270 (revoked). The allocation period is the calendar month. The small order exemption per person per month is as follows:

NOTE: "Commercial grade non-crystalline sorbitol-isomeric mixtures" deleted Aug. 22, 1944.

	Pounds
d-sorbitol crystalline.....	25
Technical grade d-sorbitol (75% aqueous solution).....	50
Mannitol crystalline.....	50

Customers must furnish use certificates when ordering in amounts described in paragraph (f) and must file on Form WPB-2945 when ordering in amounts described in paragraph (e).

(c) Special provision. All outstanding allocations and directions heretofore issued under this schedule regarding commercial grade non-crystalline d-sorbitol isomeric mixtures are revoked.

(d) Suppliers' applications on Form WPB-2947. Each supplier seeking authorization to deliver shall file application on Form WPB-2947 (formerly PD-602). The filing date is the 20th day of the month preceding the proposed delivery month. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-20. The unit of measure is pounds. File a separate set of forms for each kind of hexahydric alcohol. In Table I first list in Column 1 the names

of customers who have filed WPB-2945 forms with the applicant and in Column 1a specify "WPB-2945"; second, list in Column 1 the names of customers who have filed use certificates with the applicant and in Column 1a transcribe the uses stated in such certificates; third, specify in Column 1 "Aggregate small order deliveries" and leave Column 1a blank; fill in other columns as indicated. Leave columns blank relating to rolling stock requirements. Fill in Table II as indicated. Inventory of hexahydric alcohols previously allocated for the supplier's own manufacturing use should not be reported on Form WPB-2947 (but should be reported in Table II of Form WPB-2945).

(e) *Customers' applications on WPB-2945.* Each person seeking delivery of hexahydric alcohols in excess of the following amounts per month from all suppliers shall file application for authorization on Form WPB-2945 (formerly PD-600):

NOTE: "Commercial grade non-crystalline sorbitol isomeric mixtures" deleted Aug. 22, 1944.

	Pounds
d-sorbitol-crystalline.....	1,000
Technical grade d-sorbitol (75% aqueous solution).....	6,000
Mannitol-crystalline.....	1,000

The filing date is the 12th day of the month preceding the month for which allocation is requested. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-20, one copy (reverse side blank) to the supplier and retain one copy. The unit of measure is pounds. File a separate set of forms for each kind of hexahydric alcohol. Fill in Column 3 as follows:

Ascorbic acid.
Chemical manufacture (specify).
Diabetic foods.
Electrolytic condensers.
Esters.
Explosives.
Gelatin and glue extender.
Laboratory reagent.
Legume inoculant.
Paper.
Pharmaceuticals (identify).
Plasticizer for gelatin capsules.
Resins.
Textiles.
Miscellaneous.
Inventory (in original form).
Export (in original form).
Resale (in original form).

Leave Column 4 blank opposite products listed in Column 3, but opposite "Inventory", "Exports" or "Resale" in Column 3 fill in Column 4 in accordance with paragraph (11-a) of Appendix E of Order M-300. Fill in Table II as indicated, specifying inventory on a physical basis regardless of authorizations or exemptions. However, a supplier who keeps separate inventories of hexahydric alcohols, both physically and on his books, for the purpose of sale and for his own manufacturing use, shall report in Table II only his inventory for his own use. Leave Tables III, IV and V blank.

(f) *Certified uses with purchase orders.* Each person placing purchase orders for delivery of hexahydric alcohols between the following amounts per month in the aggregate from all suppliers, shall furnish each supplier with a certified statement of proposed use. Describe proposed use as shown in paragraph (e) above and certify in the form prescribed in Appendix D of order M-300:

NOTE: "Commercial grade non-crystalline sorbitol isomeric mixtures" deleted Aug. 22, 1944.

d-sorbitol-crystalline.....	25-1,000 lbs.
Technical grade d-sorbitol (75% aqueous solution).....	50-6,000 lbs.
Mannitol-crystalline.....	50-1,000 lbs.

(g) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with Federal Reports Act of 1942.

(h) *Communications to War Production Board.* Communications concerning this schedule shall, unless otherwise directed, be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-20.

Issued this 22d day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12672; Filed, August 22, 1944; 11:34 a. m.]

Chapter XI—Office of Price Administration

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 421,¹ Amdt. 12]

CEILING PRICES OF CERTAIN FOODS SOLD AT WHOLESALE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 421 is amended in the following respects:

1. A new subparagraph (3) is added to section 22a (a) to read as follows:

(3) This section shall not apply to sales by you under the following conditions:

(i) If, prior to April 29, 1944, you figured a ceiling price for canned Cuban pineapple or canned Cuban pineapple juice for sales to industrial, institutional or commercial users under § 1341.155 (a) of Maximum Price Regulation No. 197,² or under this regulation for other packed pineapple or pineapple juice (other than pineapple or pineapple juice packed in the Territory of Hawaii or in Puerto Rico); and

(ii) If you have entered into contracts with a foreign seller prior to April 29, 1944, at prices not in excess of such ceiling price for the item; and

*Copies may be obtained from the Office of Price Administration.

¹ 9 F.R. 5648.

² 9 F.R. 5802.

(iii) If you file a copy of each such contract with the Distribution Branch, Food Price Division, OPA, Washington, D. C., on or before September 9, 1944, together with a statement showing your cost for each item under such contract and your cost and ceiling prices for each item under Maximum Price Regulation No. 197 or this regulation.

In such cases, if your contracts are approved, the OPA will send you written notice permitting you to carry out such contracts at the contract price and setting forth the method you must use in figuring your ceiling prices for items delivered to you under the above contracts.

2. A new paragraph (b) is added to section 22a to read as follows:

(b) *Frozen fruits, berries, and vegetables.* If you buy an item of frozen fruits, berries, fruit or berry juices, vegetables, or vegetable juices from a seller (for example, freezers, wagon wholesalers, or primary distributors) pricing the item under Supplement No. 6 to Food Products Regulation No. 1,³ you may add to your "net cost" for any such item $\frac{3}{4}$ of a cent per pound for quick-frozen items, or $\frac{1}{4}$ cent per pound for cold-packed items. Your "net cost", however, in such cases may not include any amount you paid for storage.

3. Section 32 (b) (10) is amended to read as follows:

(10) "Fruits, berries and fruit juices, canned" includes, but is not limited to, apple sauce, apple cider, berry juices, concentrated fruit juices, citrus fruits and juices, cranberry jelly and sauce, fountain fruits, maraschino cherries, fruit nectars, bulk apple cider and pineapple juice. "Canned" means processed and packed in any container, whether or not hermetically sealed. Excluded are apple butter, fruit butters, jams, jellies, fruit preserves, coconut, olives, baby foods, dried fruits, dehydrated fruits, fruit cocktail, pineapple (except pineapple juice), peaches, pears, and frozen fruits.

4. Section 32 (b) (13) is amended to read as follows:

(13) "Frozen foods" means packaged quick-frozen or cold-packed foods, including, but not limited to all fruits, berries, fruit or berry juices, and mixtures (except any of the foregoing in containers of a capacity of 50 pounds or more), vegetables, vegetable juices, and mixtures, including mushrooms, dog and cat food not prepared by you for pet food, apple sauce, macaroni and spaghetti products, chop suey, gravies, pork-and-beans, soups, food products in which meat, chicken, turkey, fish or seafood are combined with other ingredients, meat stews, and corned beef hash. Excluded are frozen pies and pastries, frozen meat, poultry, fish and seafood, ice cream, sherbet and frozen confections. Quick-frozen and cold-packed foods shall be considered as separate items and priced separately.

NOTE: The 1943 pack of canned fruits and frozen fruits shall be considered different

³ 9 F.R. 8957.

items from the 1942 pack of fruits and you must figure separate ceiling prices for each item of the 1943 pack.

5. Section 32 (b) (24) is amended to read as follows:

(24) "Rice" (packaged or bulk) means all rice. Excluded are rice flour, rice flakes, popped rice, wild rice, and rice containing more than 50 percent broken kernels.

6. Section 32 (b) (29) is amended to read as follows:

(29) "Spices" includes, but is not limited to, bayleaves, caraway seed, dried peppers, dry chili, celery seed, celery salt, celery flakes, chili powder, garlic, garlic salt, dry mustard, onion salt, onion flakes, poultry seasoning, poppy seed, seasoned salt, sesame seed, thyme, and cream of tartar. Excluded are table salt, spice oils, candied ginger, raw spices and spice seeds in containers of the customary unit and weight in which they are imported into the United States, and wooden or other type trays designed as permanent kitchen furniture containing sets of assorted spices.

7. Section 32 (b) (33) is amended to read as follows:

(33) "Vegetables and vegetable juices, canned" includes, but is not limited to, blackeye, crowder, cream and field peas, baked beans, sauerkraut, rhubarb, chili sauce, cocktail sauce, canned hominy, mushrooms, mushroom sauce, tomato catsup, tomato paste, tomato puree, pimientos, and Chinese-style foods including soy sauce and brown sauce. "Canned" means processed and packaged in any container, whether or not hermetically sealed. Excluded are vegetable soups, "baby" or "junior" foods, pickles, corn, green and wax beans, peas (except canned blackeye, crowder, cream and field peas), tomatoes, tomato juice and frozen vegetables.

8. In section 32 (c), the item "Wild rice" is amended to read "Wild rice, and rice containing more than 50 percent broken kernels".

9. In section 32 (c), the following items are added in alphabetical order to the list of commodities excluded:

Frozen fruits, berries, fruit or berry juices, and mixtures, in containers of a capacity of 50 pounds or more.

Raw spices and spice seeds in containers of the customary unit and weight in which they are imported into the United States.

This amendment shall become effective August 26, 1944.

Issued this 21st day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12641; Filed, August 21, 1944;
4:43 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS
[MPR 422, Amdt. 24]

CEILING PRICES OF CERTAIN FOODS SOLD AT
RETAIL IN GROUP 3 AND GROUP 4 STORES

A statement of the considerations involved in the issuance of this amend-

ment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 422 is amended in the following respects:

1. The following undesignated paragraphs are added to section 20 (1) to read as follows:

This section shall not apply to sales by you under the following conditions:

(1) If, prior to April 29, 1944, you figured a ceiling price for canned Cuban pineapple or canned Cuban pineapple juice for sales to industrial, institutional or commercial users under § 1341.155 (a) of Maximum Price Regulation No. 197,² or under this regulation for other packed pineapple or pineapple juice (other than pineapple or pineapple juice packed in the Territory of Hawaii or in Puerto Rico); and

(2) If you have entered into contracts with a foreign seller prior to April 29, 1944, at prices not in excess of such ceiling price for the item; and

(3) If you file a copy of each such contract with the Distribution Branch, Food Price Division, OPA, Washington, D. C., on or before September 9, 1944, together with a statement showing your cost for each item under such contract and your cost and ceiling prices for each item under Maximum Price Regulation No. 197 or this regulation.

In such cases, if your contracts are approved, the OPA will send you written notice permitting you to carry out such contracts at the contract price and setting forth the method you must use in figuring your ceiling prices for items delivered to you under the above contracts.

2. A new section 20 (m) is added to read as follows:

(m) *Frozen fruits, berries, and vegetables.* If you buy an item of frozen fruits, berries, fruit or berry juices, vegetables, or vegetable juices from a seller (for example, freezers, wagon wholesalers, or primary distributors) pricing the item under Supplement No. 6 to Food Products Regulation No. 1,³ you may add to your "net cost" for any such item $\frac{3}{4}$ of a cent per pound for quick-frozen items, or $\frac{1}{4}$ cent per pound for cold-packed items. Your "net cost", however, in such cases may not include any amount you paid for storage.

3. A new section 20 (n) is added to read as follows:

(n) *Frozen fish which you process.*

(1) If, prior to offering for sale any item of frozen fish, you process it by changing its form to either gutted, dressed, dressed and skinned, fillets, cuts or steaks (sliced), you will figure your "net cost" as though you had purchased the item already processed. Your "net cost" for any style of dressing is the price fixed, at the time you process it, for that style of dressing in Maximum Price Reg-

ulation No. 364⁴ for your supplier's sales to you. (Add the transportation and container allowances specified in Maximum Price Regulation No. 364.

(2) If, prior to offering for sale any item of frozen saltwater fish, you process it by changing its form to cuts or steaks (sliced), and if Maximum Price Regulation No. 364 does not fix a price for that style of dressing, you will figure your "net cost" as follows: Find the price per pound fixed, at the time you process it, in Maximum Price Regulation No. 364 for your supplier's sales to you of that kind of fish bought dressed. Multiply that price by 1.40. (Add the transportation and container allowances specified in Maximum Price Regulation No. 364.) The resulting figure will be your "net cost" per pound for the item. To get your ceiling price per pound, apply the mark-up for your group of retailer to the resulting figure.

4. A new section 20 (o) is added to read as follows:

(o) *Smoked fish which you process.*

(1) If you buy smoked fish in the form of slabs (gutted, headed and halved) and sell it in slices, you shall multiply your "net cost" per pound for the item by 1.20. To get your ceiling price per pound for such slices, apply the mark-up for your group of retailer to the resulting figure.

(2) If, prior to offering for sale, you change the form of an item of smoked fish bought drawn (gutted) to dressed (headed, with fins off), and sell it whole, in chunks or in slices, you shall multiply your "net cost" per pound for the item by 1.10. To get your ceiling price per pound, apply the mark-up for your group of retailer to the resulting figure.

5. Section 38 (b) (10) is amended to read as follows:

(10) "Fruits, berries and fruit juices, canned" includes, but is not limited to, apple sauce, apple cider, berry juices, concentrated fruit juices, citrus fruits and juices, cranberry jelly and sauce, fountain fruits, maraschino cherries, fruit nectars, bulk apple cider and pineapple juice. "Canned" means processed and packed in any container, whether or not hermetically sealed. Excluded are apple butter, fruit butters, jams, jellies, fruit preserves, cocoanut, olives, baby foods, dried fruits, dehydrated fruits, fruit cocktail, pineapple (except pineapple juice), peaches, pears, and frozen fruits.

6. Section 38 (b) (13) is amended to read as follows:

(13) "Frozen foods" means packaged quick-frozen or cold-packed foods, sold from refrigerated cabinets or lockers, including, but not limited to all fruits, berries, fruit or berry juices, and mixtures (except any of the foregoing in containers of a capacity of 50 pounds or more), vegetables, vegetable juices and mixtures, including mushrooms, dog and cat food not prepared by you for pet food,

* Copies may be obtained from the Office of Price Administration.

² 9 F.R. 5802.

³ 9 F.R. 8057.

⁴ 8 F.R. 4640, 5566, 7592, 11175, 12023, 12440, 12792, 14079, 15191, 15662, 16998; 9 F.R. 183, 946, 2023, 3388, 3450, 3424, 4182, 4650, 5103, 7420.

¹ 9 F.R. 5556, 6828, 6951, 7339, 7520, 7937.

apple sauce, macaroni and spaghetti products, chop suey, gravies, pork-and-beans, soups, food products in which meat, chicken, turkey, fish or seafood are combined with other ingredients, meat stews, and corned beef hash. Excluded are frozen pies and pastries, frozen meat, poultry, fish and seafood, ice cream, sherbet and frozen confections. Quick-frozen and cold-packed frozen foods shall be considered as separate items, and priced separately.

NOTE: The 1943 pack of canned fruits and frozen fruits shall be considered different items from the 1942 pack of fruits and you must figure separate ceiling prices for each item of the 1943 pack.

7. Section 38 (b) (24) is amended to read as follows:

(24) "Rice" (packaged or bulk) means all rice. Excluded are rice flour, rice flakes, popped rice, wild rice, and rice containing more than 50 percent broken kernels.

8. Section 38 (b) (29) is amended to read as follows:

(29) "Spices" includes, but is not limited to, bayleaves, caraway seed, dried peppers, dry chili, celery seed, celery salt, celery flakes, chili powder, garlic, garlic salt, dry mustard, onion salt, onion flakes, poultry seasoning, poppy seed, seasoned salt, sesame seed, thyme, and cream of tartar. Excluded are table salt, spice oils, candied ginger, raw spices and spice seeds in containers of the customary unit and weight in which they are imported into the United States, and wooden or other type trays designed as permanent kitchen furniture containing sets of assorted spices.

9. Section 38 (b) (33) is amended to read as follows:

(33) "Vegetables and vegetable juices, canned" includes, but is not limited to, blackeye, crowder, cream and field peas, baked beans, sauerkraut, rhubarb, chili sauce, cocktail sauce, canned hominy, mushrooms, mushroom sauce, tomato catsup, tomato paste, tomato puree, pimientos, and Chinese style foods including soy sauce and brown sauce. "Canned" means processed and packaged in any container, whether or not hermetically sealed. Excluded are vegetable soups, "baby" or "junior" foods, pickles, corn, green and wax beans, peas (except canned blackeye, crowder, cream and field peas), tomatoes, tomato juice and frozen vegetables.

10. In section 38 (c), the item "Wild rice" is amended to read "Wild rice, and rice containing more than 50 percent broken kernels."

11. In section 38 (c), the following items are added in alphabetical order to the list of commodities excluded:

Frozen fruits, berries, fruit or berry juices, and mixtures, in containers of a capacity of 50 pounds or more.

Raw spices and spice seeds in containers of the customary unit and weight in which they are imported into the United States.

This amendment shall become effective August 26, 1944.

Issued this 21st day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12642; Filed, August 21, 1944;
4:43 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 423, Amdt. 25]

CEILING PRICES OF CERTAIN FOODS SOLD AT
RETAIL IN INDEPENDENT STORES DOING AN
ANNUAL BUSINESS OF LESS THAN \$250,000
(GROUP 1 AND GROUP 2 STORES)

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 423 is amended in the following respects:

1. Section 18 (c) is amended to read as follows:

(c) Section 20. *How you figure your "net cost" in certain cases.* (Applies to you if you import fresh bananas or purchase fresh bananas from importers f. o. b. port of entry or at auction; if you package and print butter; if you candle and grade eggs; if you sell "ungraded eggs"; if you purchase white potatoes or dry onions ungraded and unsacked; if you purchase ungraded, unsized and unpacked citrus fruits and you grade, size, and pack such citrus fruits; if you buy poultry live or dressed, and you sell it drawn; if you buy poultry live, dressed or drawn and sell it "cut-up" or in parts; if you import coconuts; if you import packed pineapple, or packed pineapple juice, other than pineapple and pineapple juice packed in the Territory of Hawaii or in Puerto Rico; if you buy frozen fruits, berries, or vegetables from a seller pricing such items under Supplement 6 to Food Products Regulation No. 1²; or if you process frozen fish or smoked fish prior to offering it for sale.)

2. Section 27 (b) (10) is amended to read as follows:

(10) "Fruits, berries and fruit juices, canned" includes, but is not limited to apple sauce, apple cider, berry juices, concentrated fruit juices, citrus fruits and juices, cranberry jelly and sauce, fountain fruits, maraschino cherries, fruit nectars, bulk apple cider and pineapple juice. "Canned" means processed and packed in any container, whether or not hermetically sealed. Excluded are apple butter, fruit butters, jams, jellies, fruit preserves, coconut, olives, baby foods, dried fruits, dehydrated fruits, fruit cocktail, pineapple (except pineapple juice), peaches, pears, and frozen fruits.

3. Section 27 (b) (13) is amended to read as follows:

(13) "Frozen foods" means packaged quick-frozen or cold-packed foods, sold

*Copies may be obtained from the Office of Price Administration.

¹ 9 F.R. 5671, 6829, 7340, 7520, 7937, 8354, 8720.

² 9 F.R. 8057.

from refrigerated cabinets or lockers, including, but not limited to all fruits, berries, fruit or berry juices, and mixtures (except any of the foregoing in containers of a capacity of 50 pounds or more), vegetables, vegetable juices, and mixtures, including mushrooms, dog and cat food not prepared by you for pet food, apple sauce, macaroni and spaghetti products, chop suey, gravies, pork-and-beans, soups, food products in which meat, chicken, turkey, fish or seafood are combined with other ingredients, meat stews, and corned beef hash. Excluded are frozen pies and pastries, frozen meat, poultry, fish and seafood, ice cream, sherbet and frozen confections. Quick-frozen and cold-packed frozen foods shall be considered as separate items, and priced separately.

NOTE: The 1943 pack of canned fruits and frozen fruits shall be considered different items from the 1942 pack of fruits and you must figure separate ceiling prices for each item of the 1943 pack.

4. Section 27 (b) (24) is amended to read as follows:

(24) "Rice" (packaged or bulk) means all rice. Excluded are rice flour, rice flakes, popped rice, wild rice, and rice containing more than 50 percent broken kernels.

5. Section 27 (b) (29) is amended to read as follows:

(29) "Spices" includes, but is not limited to, bayleaves, caraway seed, dried peppers, dry chili, celery seed, celery salt, celery flakes, chili powder, garlic, garlic salt, dry mustard, onion salt, onion flakes, poultry seasoning, poppy seed, seasoned salt, sesame seed, thyme, and cream of tartar. Excluded are table salt, spice oils, candied ginger, raw spices and spice seeds in containers of the customary unit and weight in which they are imported into the United States, and wooden or other type trays designed as permanent kitchen furniture containing sets of assorted spices.

6. Section 27 (b) (33) is amended to read as follows:

(33) "Vegetables and vegetable juices, canned" includes, but is not limited to, blackeye, crowder, cream and field peas, baked beans, sauerkraut, rhubarb, chili sauce, cocktail sauce, canned hominy, mushrooms, mushroom sauce, tomato catsup, tomato paste, tomato puree, pimientos, and Chinese-style foods including soy sauce and brown sauce. "Canned" means processed and packaged in any container, whether or not hermetically sealed. Excluded are vegetable soups, "baby" or "junior" foods, pickles, corn, green and wax beans, peas (except canned blackeye, crowder, cream and field peas), tomatoes, tomato juice, and frozen vegetables.

7. In section 27 (c), the item "Wild rice" is amended to read "Wild rice, and rice containing more than 50 percent broken kernels."

8. In section 27 (c), the following items are added in alphabetical order to the list of commodities excluded:

Frozen fruits, berries, fruit or berry juices, and mixtures, in containers of a capacity of 50 pounds or more.

Raw spices and spice seeds in containers of the customary unit and weight in which they are imported into the United States.

This amendment shall become effective August 26, 1944.

Issued this 21st day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12643; Filed, August 21, 1944;
4:43 p. m.]

PART 1377—WOODEN CONTAINERS
[RMPR 195,¹ Amdt. 5]

INDUSTRIAL WOODEN BOXES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1377.153 (a) of Revised Maximum Price Regulation 195 is amended to read as follows:

(a) *Price determining method based on cost.* In computing what the March 1942 quotation would have been a manufacturer, who on March 31, 1942 had a price determining method for industrial wooden boxes based on cost (such as a "N. R. A. type" formula) and established on the basis of regular production of industrial wooden boxes must continue to use that method. The formula must be applied to the March 31, 1942 costs. The details of how to adjust March 31, 1942 costs as to material cost and overtime hours are given below in § 1377.154 and § 1377.155.

This amendment shall become effective August 21, 1944.

Issued this 21st day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12644; Filed, August 21, 1944;
4:41 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS
[RO 5C,² Amdt. 144]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5C is amended in the following respects:

1. In § 1394.8218 the headnote is amended to read "*Reports by licensed distributors and intermediate distributors.*" and paragraph (f) is added to read as follows:

(f) On or before September 20, 1944, and on or before the 20th day of each succeeding month, every distributor shall file a report for the preceding calendar

month with the District Director in the City of Philadelphia, in the State of Pennsylvania, in respect to any retail outlet located in that city to which he has made deliveries of 6,000 gallons or more of gasoline during such preceding month. Each such distributor shall set forth in his report the following information:

- (1) His name and address;
- (2) The calendar month and year for which the report is made;
- (3) The name and location of each such retail outlet to which he has delivered 6,000 or more gallons of gasoline during the month for which the report is made;
- (4) The number of gallons of gasoline he delivered to each such retail outlet during such month; and,
- (5) The number of gallons of gasoline, if any, which he delivered to each such retail outlet during the corresponding month in 1942.

A distributor may omit from such report all information in respect to a retail outlet to which he delivered a larger quantity of gasoline in the corresponding period in 1942 than he delivered during the calendar month for which the report is made.

For the purpose of this paragraph the expression "retail outlet" means the place of business of a dealer, or the retail facility of a licensed distributor.

This amendment shall become effective August 25, 1944.

NOTE: The reporting and record keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; WPB Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121, E.O. 9125, 7 F.R. 2719)

Issued this 21st day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12645; Filed, August 21, 1944;
4:41 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS
[MPR 201,³ Amdt. 10]

VIRGIN ISLANDS

SECOND HAND AND USED MATERIALS IN VIRGIN ISLANDS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

In § 1418.113 paragraph (a) (12) is deleted, and paragraphs (a) (13) and (14) are redesignated (a) (12) and (13), respectively.

This amendment shall become effective August 26, 1944.

Issued this 21st day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12646; Filed, August 21, 1944;
4:44 p. m.]

¹ 7 F.R. 6269, 6744, 9996, 8947, 10231, 10794; 8 F.R. 1860, 10987; 9 F.R. 2176, 2747.

PART 1441—TANNING MATERIALS

[MPR 551]

CERTAIN SALES OF HEMLOCK AND CHESTNUT OAK BARKS

A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

MAXIMUM PRICE REGULATION 551—CERTAIN SALES OF HEMLOCK AND CHESTNUT OAK BARKS

Sec.

1. Prohibition against sales of hemlock and chestnut oak bark at higher than maximum prices.
2. Less than maximum prices.
3. Adjustable pricing.
4. Applicability of this regulation and relationship to other maximum price regulations.
5. Records and reports.
6. Evasion.
7. Enforcement.
8. Licensing.
9. Petitions for amendment.
10. Definitions.
11. Maximum prices for hemlock and chestnut oak barks sold to industrial users.

AUTHORITY: Sections 1 to 11, inclusive (§ 1441.4), issued under 56 Stat. 23, 705; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

SECTION 1. *Prohibition against sales of hemlock or chestnut oak bark at higher than maximum prices.* On and after August 26, 1944, regardless of any contract, agreement, lease, or other obligation:

(a) No person making a sale of hemlock or chestnut oak bark for which maximum prices are established by this regulation shall sell, deliver, or transfer such bark at prices higher than the maximum prices established under this regulation.

(b) No person purchasing hemlock or chestnut oak bark for which maximum prices are established by this regulation shall buy or receive such bark in the course of trade or business at higher prices than the maximum prices established under this regulation.

(c) No person shall agree, offer, solicit, or attempt to do any of the foregoing.

(d) If, in connection with any delivery of hemlock or chestnut oak bark for which maximum prices are established under section 11 (b) of this regulation, the seller obtains from the buyer, prior to payment, a written statement that to the best of the buyer's knowledge the price to be paid does not exceed the maximum price fixed by this regulation, and if the seller has no reason to doubt the truth of the statement, the seller shall be deemed to have complied with this section.

SEC. 2. *Less than maximum prices.* Lower prices than those established by this regulation may be charged, demanded, paid or offered.

SEC. 3. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted

*Copies may be obtained from the Office of Price Administration.

¹ 7 F.R. 9393; 8 F.R. 3529, 3843, 8180; 9 F.R. 5435.

² 8 F.R. 15937.

upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order.

SEC. 4. Applicability of this regulation and relationship to other maximum price regulations—(a) Transactions covered. Except as otherwise provided in this section, this regulation shall apply to all sales and deliveries of hemlock and chestnut oak bark to industrial users.

(b) Geographical applicability. The provisions of this regulation shall be applicable to the forty-eight states of the United States and the District of Columbia.

(c) Relationship of this regulation to the Maximum Import Price Regulation.¹ The provisions of this regulation shall not apply to sales and deliveries of imported hemlock and chestnut oak bark which are governed by the Maximum Import Price Regulation.

(d) Relationship of this regulation to the Second Revised Maximum Export Price Regulation.² The provisions of this regulation shall not apply to sales and deliveries of hemlock and chestnut oak bark for export, which are governed by the Second Revised Maximum Export Price Regulation.

SEC. 5. Records and reports—(a) Records. (1) Every person selling hemlock or chestnut oak bark to an industrial user or any industrial user buying such bark shall on and after August 26, 1944 keep records which will show the name and address of the buyer and of the seller, the date of the sale, the transportation provisions, the kind of bark and the quantity sold, and the price. Such records must be kept for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, is in effect. Customary records such as invoices showing the above information will constitute compliance with this subparagraph (1).

(2) Every industrial user making purchases of hemlock or chestnut oak bark and every person making sales of such bark to industrial users shall preserve for examination by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, all his existing records relating to deliveries of such bark made or received during the period May 15 to July 15, 1944, inclusive, as well as all records of contracts for the purchase or sale of such bark entered into prior to July 16, 1944 which call for

deliveries after July 15, 1944 or under which deliveries have or will be made after July 15, 1944.

(3) Every industrial user making purchases of hemlock or chestnut oak bark shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, records showing as precisely as possible the basis upon which he determined the maximum price applicable to his purchases from each seller from whom he purchases bark after the effective date of this regulation.

(b) Reports. On or before September 20, 1944, each industrial user who bought hemlock or chestnut oak bark in the course of trade or business during the period May 15, to July 15, 1944, inclusive, shall file with the Chemicals and Drugs Price Branch, Office of Price Administration, Washington 25, D. C., a report showing his maximum prices as determined under section 11 (a) of this regulation for purchases of such bark from each seller from whom he received bark during the period May 15 to July 15, inclusive, or with whom, prior to July 16, 1944, he entered into a contract which calls for delivery of bark after July 15, 1944 or under which deliveries of bark have or will be made after July 15, 1944. Where a maximum price is not f. o. b. seller's shipping point, the amount of transportation charges included in the maximum price shall be shown separately.

(c) The persons mentioned in paragraphs (a) and (b) above shall keep such other records and shall submit such other reports to the Office of Price Administration in addition to or in place of the records required in said paragraphs as the Office of Price Administration may from time to time require.

SEC. 6. Evasion. Price limitations set forth in this regulation shall not be evaded, whether by direct or indirect methods, in connection with any offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to hemlock or chestnut oak bark alone or in conjunction with any other commodity, or by way of commission, service, transportation, or other charge, discount, premium, or other privilege, or other trade understanding, or by transactions with or through the agency of subsidiaries or affiliates, or otherwise.

SEC. 7. Enforcement. Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 8. Licensing. The provisions of Licensing Order No. 1,³ licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violation of the license or one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of

suspension, make any sale for which his license has been suspended.

SEC. 9. Petitions for amendment. Any person seeking an amendment to any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.⁴

SEC. 10. Definitions. (a) As used in this regulation the term:

(1) "Hemlock bark" refers to the bark of the species *Tsuga canadensis*, or Eastern hemlock.

(2) "Chestnut oak bark" refers to the bark of the species *Quercus montana*, or chestnut oak.

(3) "Industrial user" means a tannery or a person who processes hemlock bark or chestnut oak bark into extract.

(4) "Seller of the same class" refers to a seller of hemlock or chestnut oak bark who belongs to the same one of the following categories as the seller for whom a maximum price is being determined:

(i) "Saw mill" (meaning a seller who supplies bark in connection with his operation of a saw mill).

(ii) "Pulp mill" (meaning a seller who supplies bark in connection with his operation of a pulp mill).

(iii) "Logger" (meaning a seller who supplies bark in connection with logging operations, but who does not produce either paper or pulp).

(iv) "Bark dealer" (meaning a seller who buys bark which has already been separated from other parts of the tree, and resells it).

(5) "Transportation charge" shall be deemed to include the tax imposed by section 620 of the Revenue Act of 1942 (Pub. Law 753, 77th Cong., approved October 21, 1942) as if it were a like increase in the rate or the amount charged by the carrier for the transportation in question.

(6) "Unit" refers to the unit, such as cord or ton, in which a seller sells hemlock or chestnut oak bark.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used in this regulation.

SEC. 11. Maximum prices for hemlock and chestnut oak barks sold to industrial users. (a) If an industrial user buys or receives hemlock or chestnut oak bark from a particular seller from whom he received delivery of the same kind of bark during the period May 15 to July 15, 1944, inclusive, the maximum price per unit which that purchaser may pay to that seller shall be the highest price per unit which that seller charged that purchaser for a delivery of that kind of bark during the period May 15 to July 15, 1944, inclusive. Where, prior to July 16, 1944, the seller and purchaser had entered into a firm contract for the sale of a bark at a fixed price, and deliveries under the contract have been or will be made only after July 15, 1944, the contract price per unit may be considered for the purposes of this paragraph (a)

¹ 9 F.R. 2350.

² 8 F.R. 4132, 5987, 7662, 8998, 15193; 9 F.R. 1036.

³ 8 F.R. 13240.

⁴ 7 F.R. 8361; 8 F.R. 3315, 3533, 6173, 11836; 9 F.R. 1534.

as a "price per unit which that seller charged that purchaser for a delivery of the same kind of bark during the period May 15 to July 15, 1944, inclusive."

(b) If an industrial user cannot determine a maximum price under paragraph (a) above for purchases of a particular kind of bark from a particular seller, he shall determine the maximum price as follows:

(1) He shall select from among sellers of the same class for whom he has determined maximum prices under (a) above for the same kind of bark, the seller who is located nearest to the seller for whose bark he is determining a maximum price.

(2) He shall ascertain the maximum price per unit determined under (a) above for the same kind of bark purchased from the seller selected under (1).

(3) The maximum price per unit selected under (2), adjusted to an f. o. b. seller's shipping point basis, shall be the maximum price per unit, f. o. b. seller's shipping point, which he may pay for that kind of bark to the seller for whose bark he is determining a maximum price. The maximum price per unit of the seller of the same class shall be adjusted to an f. o. b. seller's shipping point basis by deducting from the maximum price per unit established for that seller under paragraph (a) the actual cost per unit of any transportation charges included in the maximum price so established.

If, in the case of sales or deliveries of hemlock or chestnut oak bark for which maximum prices are established by this paragraph (b), the seller shall wish confirmation of the buyer's statement with respect to the maximum price therefor, the seller shall apply to the Office of Price Administration, Chemicals and Drugs Price Branch, Washington 25, D. C. and that Office shall inspect the buyer's records and such other records as it deems necessary and certify to the seller the correct maximum price.

(c) If a maximum price cannot be determined under paragraphs (a) or (b) above, the maximum price for a sale of hemlock or chestnut oak bark to an industrial user shall be a price in line with the level of maximum prices established by this regulation specifically authorized by the Office of Price Administration.

Prior to accepting delivery of any hemlock or chestnut oak bark for which a maximum price cannot be determined under (a) or (b) above, the buyer and seller jointly shall make a written application to the Chemicals and Drugs Price Branch, Office of Price Administration, Washington 25, D. C., for authorization of a maximum price. The application shall show the kind of bark to be purchased, the approximate quantity to be purchased, the manner of delivery to be used, the name and address of the seller and buyer, a short description of the nature of the business of the seller, the proposed maximum price per unit, and an explanation of how such price was determined and why the parties believe it to be in line with the level of maximum prices established by this

regulation. Deliveries may be made or accepted after mailing the above application and payment at the proposed price may be made and received. If within 20 days of mailing the application written disapproval of the above price is mailed to the seller, the seller may be required to make refunds in accordance with the price as finally approved. If no such disapproval is mailed within the 20 day period, the proposed price shall be considered as approved. Such price may be adjusted at any time by the Office of Price Administration, but any such adjustment, after the 20 day period, shall not be retroactive.

Effective date. This regulation shall become effective August 26, 1944.

NOTE: All record keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 21st day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12647; Filed, August 21, 1944;
4:44 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 1 to GMPR, Amdt. 72]

CITRUS PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 2.3 (c) is amended to read as follows:

(c) Citrus fruit segments or pieces, whether or not hermetically sealed in containers; citrus juices or blends thereof, whether or not hermetically sealed in containers; concentrated citrus juices; citrus flavoring base concentrates; citrus flavored beverage syrups; citrus pulp; citrus marmalade base; crushed citrus fruit, and shredded, minced, sliced or diced citrus fruit or citrus peel (except candied or sugared peel), whether or not hermetically sealed in containers.¹

"Concentrated citrus juice" means the product resulting from the removal of at least 80 percent by volume of the water from, but containing all the solids of, the natural citrus juice from which it is made.

"Citrus flavoring base concentrate" means a food flavoring consisting of concentrated or natural strength citrus juice, citrus oils, sugar in any form, with or without other flavoring substances and with or without the addition of acidulant, coloring or water.

"Citrus flavored beverage syrup" means the product consisting of citrus flavoring base concentrate with added

*Copies may be obtained from the Office of Price Administration.

¹Orange juice, grapefruit juice, their blends and grapefruit segments, though exempt from GMPR, are covered by Supplement 5 to Food Products Regulation 1.

sugar syrup and requiring only the addition of water to produce a finished beverage.

This amendment shall become effective August 26, 1944.

Issued this 21st day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12648; Filed, August 21, 1944;
4:42 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 167]

FOOTWEAR BOWS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Supplementary Regulation 14 is amended in the following respect:

Section 3.17 is added to read as follows:

SEC. 3.17 New bows—(a) Manufacturers. The maximum price for the sale by a manufacturer of footwear with a changed bow which is the same as or similar, except for the change in bow, to footwear for which the manufacturer has heretofore established a maximum price shall be as follows:

(1) If the current cost of the new bow is equal to or more than the current cost of the old bow, the manufacturer's maximum price heretofore established for footwear which is the same or similar, except for the change in the bow;

(2) If the current cost of the new bow is less than the current cost of the old bow, the manufacturer's maximum price heretofore established for footwear (which is the same or similar, except for the change in bow) with a bow having a current cost next lower to the current cost of the new bow.

Example. A manufacturer has maximum prices established for a pump with different bows as follows:

	Cost of bow	Maximum Price
Pump with bow A.....	\$0.25	\$3.25
Pump with bow B.....	.40	3.40
Pump with bow C.....	.55	3.50

He now wishes to make the same (or a similar) pump with bows W, X, Y and Z.

Cost of new bow	Maximum Price
Pump with bow W, \$0.60 (more than bow C)	\$3.50
Pump with bow X, \$0.55 (equal to bow C)	3.50
Pump with bow Y, \$0.45 (bow B has cost "next lower")	3.40
Pump with bow Z, \$0.35 (bow A has cost "next lower")	3.25

(b) **Wholesalers and retailers.** The maximum price for a sale by a wholesaler or retailer of footwear with a changed bow, priced by the manufacturer under paragraph (a), above, shall be the wholesaler's or retailer's maximum price heretofore established for the footwear used by the manufacturer in establishing his maximum price for the footwear with a changed bow.

Example. A retailer has the following maximum prices established for the pump with different bows purchased from the manufacturer in the example in paragraph (a), above:

	Cost of shoe	Maximum price
Pump with bow A-----	\$3.25	\$5.45
Pump with bow B-----	3.40	5.95
Pump with bow C-----	3.50	5.95

He now wishes to sell the pump with bows W, X, Y and Z.

	Cost of shoe (with new bow)	Maximum price
Pump with bow W, \$3.50 (same as pump with bow C)-----	\$3.50	\$5.95
Pump with bow X, \$3.50 (same as pump with bow C)-----	3.50	5.95
Pump with bow Y, \$3.40 (same as pump with bow B)-----	3.40	5.95
Pump with bow Z, \$3.25 (same as pump with bow A)-----	3.25	5.45

(c) *Notification.* Each manufacturer and wholesaler selling footwear with a new bow, the maximum price for which is established in accordance with paragraph (a) or (b), above, shall, at or prior to the time of his first sale or delivery of such footwear to each purchaser, furnish him with a written notification containing the following information: (1) The seller's maximum price for the footwear with the new bow, (2) the stock number, style number or other identification of the footwear against which it was priced; and (3) a statement that the purchaser's maximum price for resale of the footwear with the new bow is the same as his maximum price established for the footwear described in (2), above.

This amendment shall become effective August 26, 1944.

Issued this 21st day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12649; Filed, August 21, 1944;
4:42 p. m.]

PART 1305—ADMINISTRATION

[Gen. RO 5, Amdt. 6 to Supp. 1²]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 1305.203 (b) is amended by changing the part of that section that deals with "Sugar" to read as follows:

Sugar ----- .04 pounds

Note: The allowance per person for "Sugar" is effective for the September-October 1944 and subsequent allotment periods.

¹ 8 F.R. 10002, 11676, 11480, 11479, 12483, 12557, 12403, 12744, 14472, 15488, 16787, 17486; 9 F.R. 401, 455, 692, 1810, 2212, 2287, 2252, 2476, 2789, 3030, 3075, 3340, 3704, 3577, 4196, 4393, 4647, 4873, 5041, 5232, 5684, 5826, 5915, 6108, 6504, 6628, 7167, 7260, 7703, 7770, 8242, 8813.

² 8 F.R. 2597, 4840, 5529, 7601, 14154.

No. 163—4

This amendment shall become effective August 26, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 8280, 7 F.R. 10179; WPB Dir. 1, Supp. Dir. 1-E, 1-M and 1-R, 7 F.R. 562, 2965, 7234, 9684, respectively; War Food Order Nos. 56, 58, 59, 61 and 64, 8 F.R. 2005, 2251, 3471, 7093, 7 F.R. 4310)

Issued this 22d day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12678; Filed, August 22, 1944;
11:45 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMFR 335, Amdt. 5]

PEANUTS AND PEANUT BUTTER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 335 is amended in the following respects:

1. Section 1 is amended to read as follows:

SECTION 1. Purpose of this regulation. It is the purpose of this regulation to establish maximum prices for the following:

(a) Farmers' stock peanuts.
(b) Raw unshelled and shelled peanuts, in sales by shellers and primary distributors.

(c) Salted, blanched, sliced, chopped, granulated, or roasted peanuts, and peanut butter, in sales by processors.

(d) Peanut products other than farmers' stock peanuts and raw unshelled and shelled peanuts, in sales by primary distributors and wagon wholesalers.

(e) Salted peanuts, in sales by wholesalers and retailers. (As used in this regulation the word "wholesaler" does not include a wagon wholesaler.)

Maximum prices for persons selling these peanut products in special situations are provided in section 7. Maximum prices for the wholesalers and retailers of peanut butter are governed by separate maximum price regulations which set fixed margins for food distributors according to their size and manner of doing business.

2. Section 2 is amended to read as follows:

SEC. 2. Maximum prices for farmers' stock peanuts. (a) The maximum price per ton which may be charged for farmers' stock peanuts, f. o. b. grower's customary delivery point, shall be:

*Copies may be obtained from the Office Price Administration.

¹ 8 F.R. 2502, 3705, 6834, 10264, 10987, 12445, 14852.

Maximum Kernels ¹	Spanish type containing western	Spanish type containing western	Runner and other types ²	Virginia and Valencia types ³
Percent Above 75	Dollars per ton (6)	Dollars per ton (6)	Dollars per ton (6)	Dollars per ton (6)
75	\$153.00	\$153.00	\$153.00	\$153.00
76	153.00	153.00	153.00	153.00
77	153.00	153.00	153.00	153.00
78	153.00	153.00	153.00	153.00
79	153.00	153.00	153.00	153.00
80	153.00	153.00	153.00	153.00
81	153.00	153.00	153.00	153.00
82	153.00	153.00	153.00	153.00
83	153.00	153.00	153.00	153.00
84	153.00	153.00	153.00	153.00
85	153.00	153.00	153.00	153.00
86	153.00	153.00	153.00	153.00
87	153.00	153.00	153.00	153.00
88	153.00	153.00	153.00	153.00
89	153.00	153.00	153.00	153.00
90	153.00	153.00	153.00	153.00
91	153.00	153.00	153.00	153.00
92	153.00	153.00	153.00	153.00
93	153.00	153.00	153.00	153.00
94	153.00	153.00	153.00	153.00
95	153.00	153.00	153.00	153.00
96	153.00	153.00	153.00	153.00
97	153.00	153.00	153.00	153.00
98	153.00	153.00	153.00	153.00
99	153.00	153.00	153.00	153.00
100	153.00	153.00	153.00	153.00

¹ Includes whole large shelled kernels.
² Includes all peanuts containing Valencia which, except for type, meet the "U. S. Standards for Farmers' Stock Runner Peanuts (1931)" but do not meet the U. S. Standards for Farmers' Stock Spanish or Valencia Type.
³ For Virginia type peanuts, add \$1.00 per ton for each full 1% of extra large kernels in excess of 10%.
⁴ \$153.00 plus \$2.00 per ton for each 1% above 75% sound mature kernels.
⁵ \$153.00 plus \$3.00 per ton for each 1% or fractional part thereof below 45% sound mature kernels.
⁶ \$153.00 plus \$2.00 per ton for each 1% above 75% sound mature kernels.
⁷ \$153.00 plus \$3.00 per ton for each 1% or fractional part thereof below 45% sound mature kernels.
⁸ \$153.00 plus \$2.00 per ton for each 1% above 75% sound mature kernels.
⁹ \$153.00 plus \$3.00 per ton for each 1% or fractional part thereof below 45% sound mature kernels.
¹⁰ \$153.00 plus \$2.00 per ton for each 1% above 75% sound mature kernels.
¹¹ \$153.00 plus \$3.00 per ton for each 1% or fractional part thereof below 45% sound mature kernels.

(b) The maximum price per ton which may be charged for farmers' stock peanuts f. o. b. a point other than grower's customary delivery point shall be the maximum price per ton set forth in paragraph (a) above, plus the amount regularly charged by the seller during 1942 for transporting a like quantity of farmers' stock peanuts from the grower's customary delivery point to the point specified in the sales contract.

(c) If the seller made no delivery of farmers' stock peanuts in 1942 at the delivery point specified in the sales contract, then his maximum price shall be the price per ton set forth in paragraph (a) above, plus the amount charged by him during 1942 for transporting a like quantity of farmers' stock peanuts from the grower's customary delivery point to the delivery point nearest to, but not more distant than, the new delivery point specified in the sales contract.

(d) "Farmers' stock peanuts" means picked or threshed peanuts in the shell which have been produced in the continental United States, and which have not been cleaned, shelled, crushed, or changed from their original state after picking or threshing.

(e) The term "sound mature kernels," as applied to Virginia and Valencia farmers' stock peanuts, shall mean kernels

which are dry, free from damage as defined in the U. S. Standards for farmers' stock Virginia Peanuts (1934), and which are free from shriveled kernels which pass through a screen having $\frac{15}{64}$ x 1 inch round perforations.

(f) The term "sound mature kernels," as applied to Runners farmers' stock peanuts, shall mean kernels which are dry, free from damage as defined in the U. S. Standards for farmers' stock Runner Peanuts (1931), and which are free from shriveled kernels which pass through a screen having $\frac{15}{64}$ x $\frac{3}{4}$ inch round perforations.

(g) The term "sound mature kernels," as applied to White Spanish farmers' stock peanuts, shall mean kernels which are dry and which are free from damage as defined in the U. S. Standards for farmers' stock White Spanish Peanuts (1928), and which will not pass through a screen having $\frac{15}{64}$ inch round perforations.

(h) "Grower's customary delivery point" means the point to which the grower customarily delivered his farmers' stock peanuts in 1942 without charge to the buyer for transportation.

3. Section 2a is hereby revoked.

4. The second sentence of the "Example" in section 7 is amended to read as follows:

Selling in a special capacity, therefore, he takes the maximum price of his supplier, or the maximum price established in sections 2 or 3, as the case may be.

5. Section 11 is amended by adding a new paragraph (c), as follows:

(c) Sales of "stock pile peanuts" by the Commodity Credit Corporation from the 1944 crop. As used in this paragraph the term "stock pile peanuts" means farmers' stock peanuts of the 1944 crop which have been purchased for the account of the Commodity Credit Corporation and are not immediately sold by the Corporation under its purchase and resale program.

This amendment shall become effective August 28, 1944.

Issued this 22d day of August 1944.

CHESTER BOWLES,
Administrator.

Approved: August 11, 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-12680; Filed, August 22, 1944;
11:45 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 3, Amdt. 44]

SUGAR

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

¹⁹ F.R. 1433, 1534, 2233, 2826, 2828, 3031, 3513, 3579, 3847, 3944, 4099, 4350, 4474, 4880, 5220, 5254, 5220, 5166, 5426, 5346.

Revised Ration Order 3 is amended in the following respect:

The caption of § 1407.241, Schedule A, Table IV is amended to read as follows:

TABLE IV—FROZEN FRUIT (QUICK FROZEN OR COLD PACKED)

This amendment shall become effective August 26, 1944.

(Pub. Law 421, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4319; War Food Order No. 64, 8 F.R. 7093, 9 F.R. 4319)

Issued this 22d day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12681; Filed, August 22, 1944;
11:45 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13, Amdt. 27 to 2d Rev. Supp. 1]

PROCESSED FOODS

Section 1407.1102 (e) (7) is added to read as follows:

(7) G5, H5, J5, K5, and L5 are valid beginning September 1, 1944.

This amendment shall become effective August 26, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4319; and War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4319)

Issued this 22d day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12682; Filed, August 22, 1944;
11:46 a. m.]

PART 1439—UNPROCESSED AGRICULTURE COMMODITIES

[MPR 425, Amdt. 9]

FRESH FRUITS, BERRIES AND VEGETABLES FOR PROCESSING

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

The effective date provision of Amendment 8 is amended to read as follows:

This amendment shall become effective September 15, 1944.

This amendment shall become effective August 28, 1944.

¹⁹ F.R. 173, 908, 1181, 2091, 2553, 2830, 3580, 3707, 4542, 4605, 4607, 4883, 5956, 6103, 6151, 6450, 7323, 7344, 7433, 9169, 9170, 9266, 9278.

²⁸ F.R. 9309, 9879, 12632, 12952, 14154, 15674, 16295; 9 F.R. 7505, 7330, 7330, 7858, 8188.

Issued this 22d day of August 1944.

CHESTER BOWLES,
Administrator.

Approved: August 14, 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-12683; Filed, August 22, 1944;
11:46 a. m.]

PART 1449—TANNING MATERIALS

[MPR 531, Amdt. 2]

IMPORTED VEGETABLE TANNING MATERIALS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 531 is amended in the following respects:

1. By adding at the end of section 5 thereof the following sentence: "However, sales and deliveries of quebracho extracts for use in pharmaceuticals or boiler compounds are not covered by this regulation but remain subject to the General Maximum Price Regulation or the Maximum Import Price Regulation, whichever is applicable."

2. By amending paragraph (a) (1) of Appendix A thereof to read as follows:

(1) Deliveries from warehouses.

[Cents per pound, f. o. b. seller's warehouse]

	Car-load	Less than car-load
Solid ordinary, basis 63 per cent tannin ..	0.305	0.455
Solid clarified, basis 64 per cent tannin....	0.93	7.18

These maximum prices include duty and bags with a tare allowance of 1 $\frac{3}{4}$ pounds per bag.

This amendment shall become effective August 28, 1944.

Issued this 22d day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12685; Filed, August 22, 1944;
11:46 a. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 188, Amdt. 40]

ASSEMBLED WOOD FURNITURE PARTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.* Maximum Price Regulation No. 188 is amended in the following respect:

Section 1499.166, Appendix A, is amended by adding the following commodity to paragraph (b) (4) thereof:

Assembled wood furniture parts.

¹⁹ F.R. 4893,

This amendment shall become effective on the 28th day of August 1944.

Issued this 22d day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12684; Filed, August 22, 1944;
11:46 a. m.]

TITLE 34—NAVY

Chapter I—Department of the Navy

EMPLOYEES OF VETERANS' ADMINISTRATION AND REPRESENTATIVES OF VETERANS' OR- GANIZATIONS IN CERTAIN ARMY AND NAVY INSTALLATIONS

NOTE: For Joint Regulations of the Secretary of War, the Secretary of the Navy and the Administrator of Veterans' Affairs defining the status and functions of certain officials and employees placed in Army and Navy installations by the Administrator of Veterans' Affairs under the authority granted in section 103 of the Servicemen's Readjustment Act of 1944 and providing for the certification by the Administrator of Veterans' Affairs of paid full time accredited representatives of recognized veterans' and other national organizations and the functioning of such accredited representatives in Army and Navy installations as authorized and directed in section 200 of the act, see Title 38, *infra*.

TITLE 38—PENSIONS, BONUSES AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 36—REGULATIONS UNDER SERVICE- MEN'S READJUSTMENT ACT OF 1944

EMPLOYEES OF VETERANS' ADMINISTRATION AND REPRESENTATIVES OF VETERANS' OR- GANIZATIONS IN CERTAIN ARMY AND NAVY INSTALLATIONS

Joint Regulations of the Secretary of War, the Secretary of the Navy and the Administrator of Veterans' Affairs

The following regulations define the status and functions of certain officials and employees placed in Army and Navy installations by the Administrator of Veterans' Affairs under the authority granted in section 103 of the Servicemen's Readjustment Act of 1944 and provide for the certification by the Administrator of Veterans' Affairs of paid full time accredited representatives of recognized veterans' and other national organizations and the functioning of such accredited representatives in Army and Navy installations as authorized and directed in section 200 of the act.

Nothing in these regulations shall operate to affect measures of military security now in effect or which may hereafter be placed in effect, nor to prejudice the right of the American Red Cross to recognition under existing statutes.

Sec.

36.1 Representatives of the Veterans' Administration.

Sec.

36.2 Accredited representatives of veterans' or other organizations.

AUTHORITY: §§ 36.1 to 36.2, inclusive, issued under secs. 103 and 200, 48 Stat. 234.

§ 36.1 *Representatives of the Veterans' Administration.* (a) The Administrator of Veterans' Affairs directs the manager of a Veterans' Administration facility having regional office activities or regional office to assign a contact representative on an itinerant basis to maintain relationship with Army or Navy installations in his area which have less than 100 discharges from the service per month as a constant rate for the purpose of rendering any assistance to assure that persons about to be discharged or released from active service are being fully advised of all rights and benefits to which they may be entitled under laws administered by the Veterans' Administration.

The Administrator of Veterans' Affairs directs the manager of a Veterans' Administration facility having regional office activities or regional office to designate such full-time contact representatives as deemed necessary from those under his control for duty at each Army and Navy Installation in his area which has 100 or more discharges from the service per month as a constant rate.

(b) The contact representative will present his credentials to the Commanding Officer of the Army or Navy installation to which he is assigned.

(c) It will be the function of full time contact representatives of the Veterans' Administration assigned to Army and Navy installations to assist in giving aid and advice to personnel of the Army and Navy who are about to be discharged or released from active service, to assist such persons in the filing of claims, and to cooperate with the Commanding Officer of the Army or Navy installation so that the latter can expedite the submission of records to the Veterans' Administration.

(d) It is not intended that the contact representative will replace Army, Navy or Red Cross personnel who are assisting persons about to be discharged or released from active service in the preparation of related records, or performing other administrative procedures in connection with the process of discharge or release from active service, nor that the unavailability of a contact representative will delay this process.

(e) The contact representative will maintain cooperative working relationship on matters of common interest with the accredited representatives of the organizations recognized by the Administrator of Veterans' Affairs who are functioning in the Army or Navy installation to which he is assigned.

(f) The managers of Veterans' Administration facilities having regional office activities or regional offices will make available to Commanding Officers of Army or Navy installations on their request any specific instructions issued to contact representatives.

§ 36.2 *Accredited representatives of veterans' or other organizations.* (a) Procedure for certifying a representative to function at an Army or Navy installation.

(1) Accredited representatives recognized to function in Veterans' Administration facilities or regional offices.

(i) The appropriate national officer of a recognized veterans' or other recognized organization may request the manager of a Veterans' Administration facility having regional office activities or regional office to certify a paid full time accredited representative or representatives of that organization to function at a designated Army or Navy installation (hospital or separation center) located within the area of the facility or regional office. In making such request the national officer shall certify that the representative in question is an accredited representative of his organization and is paid to devote his full time to veteran activities.

(ii) The manager will furnish the accredited representative with a letter of certification stating that inasmuch as he has been authorized to function in a Veterans' Administration facility or regional office pursuant to the authority granted the Administrator of Veterans' Affairs by section 200 of the Act of June 29, 1936 (Public Law 844, 74th Congress), he meets the requirements of section 200 of the Servicemen's Readjustment Act of 1944 relative to functioning in an Army or Navy installation.

This letter will include a statement as to the Army or Navy installation designated for the accredited representative by the national officer of his organization.

(iii) The manager will also notify the following officials of the action taken:

The Commanding Officer of the designated Army or Navy installation.

The national officer of the recognized veterans' or other organization.

The Administrator of Veterans' Affairs.

(iv) The accredited representative will communicate with the Commanding Officer of the Army or Navy installation as to available space and equipment or other conditions which may affect his functioning in the installation.

(2) Nominees not presently recognized by the Administrator of Veterans' Affairs.

(i) The appropriate national officer of a recognized veterans' or other organization will submit to the Administrator an application for recognition of an individual who is a paid full time representative of his organization to function at a designated Army or Navy installation on VA Form P-21, which contains a sworn statement by the applicant regarding his qualifications and character, together with reference in support of the same. In making such request the national officer shall certify that the nominee in question is a representative of his organization and is paid to devote his full time to veteran activities.

(ii) The Administrator or his designate will request recommendation from the manager of the facility in the State (or section of the State) in which the

Army or Navy installation is located. The manager, when called upon for his recommendation, will be furnished the names of persons possessed of intimate knowledge of the character and qualifications of the nominee.

(iii) In the event of favorable action by the Veterans' Administration, the nominee will be furnished a letter certifying him as an accredited representative of his organization in the preparation of claims under the laws administered by the Veterans' Administration. This letter will include a statement as to the Army or Navy installation designated by the national officer.

(iv) The Veterans' Administration will also advise the Commanding Officer of the designated Army or Navy installation and the manager of the facility that the individual (name and address) has been certified as an accredited representative of the named organization.

(v) Upon certification the accredited representative will communicate with the Commanding Officer of the Army or Navy installation as to available space and equipment, or other conditions which may affect his functioning in the installation.

(b) The function of an accredited representative of a recognized veterans' or other organization in Army or Navy installations will be to assist in giving aid and advice to persons in the active service who are about to be discharged or released therefrom, pertaining to their potential entitlement to benefits as administered by the Veterans' Administration.

(c) He shall conform to the orders and regulations laid down by, and will cooperate with the Commanding Officer and others designated by that officer.

(d) He shall act in the closest cooperation with the Veterans' Administration contact representative at installations where such a representative is assigned.

(e) He shall bring to the attention of the Commanding Officer, or to the officer designated by him, any recommendations or complaints, and cooperate in all ways with him so that the Army or Navy authorities can expedite the procedure of discharge or release from active service.

(f) In view of the confidence and trust reposed in the accredited representative, he shall treat as confidential all personal and military information obtained in the course of his activities.

(g) He shall not concern himself with matters which pertain to internal administration of the Army or Navy installation or to professional treatment, transfer, or disposition of patients or other personnel.

(h) He shall not have access to any official records including clinical records and other medical data at an Army or Navy installation.

(i) Unless a Veterans' Administration adjudicating agency (rating board or other adjudicating official) is operating at the Army or Navy installation at which he is functioning, there will be no occasion for action on the part of the accredited representative for the "presentation of claims" and he will abstain from soliciting the execution of a power

of attorney (Veterans' Administration Form P-22, "Appointment of Service Organization as Claimant's Representative") by a member of the armed forces at such installation.

This will not be construed as prohibiting the explanation and acceptance of Veterans' Administration Form P-22 by an accredited representative upon the request of the person about to be discharged or released from active service.

(j) An accredited representative of a recognized organization certified to function at an Army or Navy installation will be held personally responsible for the information he gives to persons about to be discharged or released from active duty. He will be expected to be familiar with the rules and regulations of the Veterans' Administration pertaining to the submission of claims; prohibition against furnishing certain information concerning veterans; and all information relative to benefits to which veterans are entitled under laws administered by the Veterans' Administration.

He may obtain necessary information from the manager of the regional office or the Veterans' Administration facility having regional office activities located in the State or section of the State in which the Army or Navy installation is located or from contact representatives designated by the manager.

(k) The Commanding Officer of an Army or Navy installation shall report to the War or Navy Department any misconduct or breach of confidence on the part of an accredited representative.

(l) An accredited representative certified to function at an Army or Navy installation who presents himself to any other Army or Navy installation on an itinerant basis will be accorded the same recognition as though certified to that particular installation upon presentation of his credentials to the proper authority.

An accredited representative certified to function at an Army or Navy installation who is employed in a supervisory capacity by his organization and who presents himself to any other Army or Navy installation shall identify himself as such to the proper authority and shall be afforded an opportunity to inspect the work of accredited representatives of his organization functioning in the installation.

While functioning at such installations they will conform to the rules prescribed for certified representatives at those installations.

(m) The Commanding Officer of each Army or Navy installation will publish a list of all the organizations having an accredited representative, including Veterans' Administration and American Red Cross, functioning at his installation. This list will show the location assigned to the representative of each such organization.

He will make this information available to persons about to be discharged or released from active service.

He will also notify all representatives concerning the schedule for any group orientation talks to be given to advise persons about to be discharged or released from active service concerning

their potential rights and benefits after return to civil life.

FRANK T. HINES,
Administrator of Veterans' Affairs.
HENRY L. STIMSON,
Secretary of War.
RALPH A. BARD,
Acting Secretary of the Navy.

AUGUST 12, 1944.

[F. R. Doc. 44-12639; Filed, August 21, 1944; 11:53 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office

[Circ. 1486a]

PART 240—PUBLIC LAND RECORDS

FILING OF TOWNSHIP PLATS

Section 240.3, of the Code of Federal Regulations (Circ. 1486, March 4, 1941), is amended to read as follows:

§ 240.3 *Filing of township plats.* Upon the acceptance of surveys by the General Land Office, and upon receipt of photolithographic editions of the plats, the originals will be returned to the district cadastral engineer of the proper public survey office, accompanied in each case by the triplicate copy for delivery to the register of the appropriate district land office. The duplicate copy will be retained in the General Land Office. The district cadastral engineer and the register will, immediately upon receipt of same, place the plat of record in their open files and report to the Commissioner of the General Land Office the date of such action. Such plat then will be available to the public as a matter of information only with respect to the technical data and land descriptions appearing thereon, and copies of such plat and the related field notes will be furnished on payment of costs, as provided by the existing regulations.

Unless otherwise directed, the register will not regard such plat as officially filed in his office, or the lands as subject to entry and disposal, until the receipt from the General Land Office of instructions for such filing and, thereafter, not until the following regulations have been complied with:

(a) The register will prepare a notice of the official filing of the plat in accordance with the instructions received for approval by the Commissioner, and will forward two copies of the notice to the Commissioner. The plat will be officially filed in the district land office on a date which will be fixed by the Commissioner, which shall be not less than 30 days from the date of the approval of such notice.

(b) When a notice of the filing of a plat has been approved, the Commissioner will send immediately a copy thereof to the register and will forward a brief announcement of the filing of the plat to the Division of the Federal Register, The National Archives, for filing and for publication in the FEDERAL REGISTER.

(c) The register will give publicity to the filing of the plat as follows:

(1) He will at once post the approved notice in a conspicuous place in his office. The notice must be kept posted until the plat has been officially filed and for such additional time, if any, as may be allowed by the notice for the presentation of preference right claims.

(2) He will send a copy of the notice to the postmaster in the town in which the district land office is situated and the postmasters of the post offices nearest the land, to the clerk or clerks of courts of record in the town where the land office is located and in the county where the land is situated, and to such officers of any adjoining county or counties deemed advisable by him.

(3) He will also furnish, as a matter of news, copies of the notice to the newspapers published in the town where the land office is situated and in the neighborhood of the land, particularly in the county in which the land is located, and to newspapers known to have a circulation in the vicinity of the land.

Where there is no district land office in a State, the Commissioner will prepare all necessary notices, and will give substantially the same publicity to the filing of the plat as is indicated above.

(R.S. 453, 2478; 43 U.S.C. 2, 1201)

FRED W. JOHNSON,
Commissioner.

Approved: August 15, 1944.

OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 44-12674; Filed, August 22, 1944;
11:33 a. m.]

TITLE 46—SHIPPING

Chapter I—Coast Guard: Inspection and Navigation

DEEP SEA SOUNDING MACHINES ON 176', DESIGN 381 ARMY VESSELS

WAIVER OF NAVIGATION AND VESSEL INSPECTION REGULATIONS

Vessels engaged in business connected with the conduct of the war.

The Acting Secretary of the Navy having by order dated 1 October, 1942 (7 F.R. 7979) waived compliance with the Navigation and Vessel Inspection laws administered by the United States Coast Guard, in the case of any vessel engaged in business connected with the conduct of the war to the extent and in the manner that the Commandant, United States Coast Guard, shall find to be necessary in the conduct of the war; and

The Army Transport Service having indicated that the efficient prosecution of the war would be impeded by the application to certain ocean and coastwise vessels of certain inspection regulations requiring installation of mechanical deep-sea sounding apparatus;

Now, therefore, upon request of the Army Transport Service, I hereby find it to be necessary in the conduct of the war that there be waived compliance with the Vessel Inspection Regulations administered by the Coast Guard, 46

CFR 64.10a, to the extent that Design 381 Army supply vessels, of approximately 176' length shall be permitted to operate without the installation of mechanical deep-sea sounding apparatus.

Dated: August 19, 1944.

R. R. WAESCHE,
Vice Admiral, USCG,
Commandant.

[F. R. Doc. 44-12653; Filed August 22, 1944;
9:45 a. m.]

Chapter III—War Shipping Administration

[G. O. 11, Supp. 5, Correction]

PART 302—CONTRACTS WITH VESSEL OWNERS AND RATES OF COMPENSATION RELATING THERETO

SPECIAL REQUISITION TIME CHARTER FOR DRY CARGO VESSELS

Clause E of Part I of the Special Requisition Time Charter for Dry Cargo Vessels as prescribed by § 302.49, published in the FEDERAL REGISTER for Saturday, August 5, 1944 at page 9550, is corrected by striking out the letter "D" as it appears in the last paragraph of said clause and inserting in lieu thereof the letter "E" so that said last paragraph will read:

By mutual agreement the valuation provisions of this Clause E may be superseded as of the date of loss or any other mutually agreeable date in the event that the Charterer shall adopt any plan with respect to replacement of vessels which is applicable to this vessel.

Reference heretofore or hereafter made to Part I of the above mentioned Special Requisition Time Charter for Dry Cargo Vessels shall be deemed to refer to said Part I as corrected above.

[SEAL] A. J. WILLIAMS,
Secretary.

—AUGUST 19, 1944.

[F. R. Doc. 44-12660; Filed, August 22, 1944,
11:12 a. m.]

[G. O. 11, Supp. 6, Correction]

PART 302—CONTRACTS WITH VESSEL OWNERS AND RATES OF COMPENSATION RELATING THERETO

SPECIAL REQUISITION TIME CHARTER FOR TANK VESSELS

Clause E of Part I of the Special Requisition Time Charter for Tank Vessels as prescribed by § 302.54, published in the FEDERAL REGISTER for Saturday, August 5, 1944 at page 9551, is corrected by striking out the letter "D" as it appears in the last paragraph of said clause and inserting in lieu thereof the letter "E" so that said paragraph will read:

By mutual agreement the valuation provisions of this Clause E may be superseded as of the date of loss or any other mutually agreeable date in the event that the Charterer shall adopt any plan with respect to replacement of vessels which is applicable to this vessel.

Reference heretofore or hereafter made to Part I of the above mentioned Special Requisition Time Charter for Tank Vessels shall be deemed to refer to said Part I as corrected above.

[SEAL] A. J. WILLIAMS,
Secretary.

[F. R. Doc. 44-12661, Filed, August 22, 1944;
11:12 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 2—GENERAL RULES AND REGULATIONS

PLACE OF DUTY OF OPERATORS

The Commission on August 15, 1944, effective immediately, amended § 2.53 Operators, place of duty, by the addition of the following new paragraph:

(a)

(3) A licensed operator who is the holder of a radiotelephone or radiotelegraph first or second class license may be on duty as the operator of one or more forestry stations licensed in the name of the same person, municipality, or state, at any location within the reliable daytime communication range of each such station in lieu of the transmitter locations or control point(s) during actual operation of the transmitting apparatus employing telephony: *Provided*, Such operator has each station within his effective control and supervises the emission of each station to insure proper operation thereof in accordance with the terms of the respective station license; *Provided further*, That forestry stations operated in accordance herewith shall have a maximum rated carrier power not in excess of 50 watts and shall be authorized to operate on a frequency or frequencies other than within the band 3000 to 30,000 kilocycles; *Provided further*, That the equipment thereof shall be designed and constructed so that none of the operations necessary to be performed during the course of normal rendition of service may cause off-frequency operation or result in any unauthorized radiation, and that any needed adjustments of the transmitter that may affect proper operation of the station shall be regularly made by or in the presence of an operator holding a first or second class license, either telephone or telegraph, who shall be responsible for the proper operation of the equipment.

(Sec. 4 (1) 48 Stat. 1063; 47 U.S.C. 154 (1), sec. 318, 48 Stat. 1039, as amended March 29, 1937, 50 Stat. 56; 47 U.S.C. 318)

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-12697; Filed, August 21, 1944;
12:35 p. m.]

*Effective control is deemed lost when a receiver or transmitter of a station becomes inoperative or operation deviates from terms of the station license, and operation of such station must be discontinued immediately.

[Docket No. 6600]

PART 3—RULES GOVERNING STANDARD AND HIGH FREQUENCY BROADCAST STATIONS**MECHANICAL RECORDS**

In the matter of Order No. 120, proposing to amend § 3.407 of the Commission's rules and regulations governing the announcement of mechanical records.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 15th day of August, 1944;

Upon consideration of Order No. 120 proposing to amend § 3.407 of the Commission's rules and regulations governing the announcement of mechanical records and the briefs and statements filed pursuant thereto by interested parties, oral argument not having been requested,

It is ordered, This 15th day of August, 1944, that § 3.407 of the rules and regulations be, and it is hereby, amended by the addition of the following new paragraph:

(f) A licensee shall not attempt affirmatively to create the impression that any program being broadcast by mechanical reproduction consists of live talent.

It is further ordered, That the proceedings in the above-entitled matter be, and they are hereby, closed.

[SEAL] FEDERAL COMMUNICATIONS
COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-12608; Filed, August 21, 1944;
12:36 p. m.]

PART 13—RULES GOVERNING COMMERCIAL RADIO OPERATORS**SUPERVISION OF EXAMINATIONS**

The Commission on August 15, 1944, effective immediately, amended § 13.73 *Supervision of examinations for permit*, by the addition of a footnote indicator ^{22a} following the second word "employees" in the first sentence, and the adoption of the following footnote:

^{22a} The term "employees" of a division of local or State Government is interpreted to include prospective employees of forestry station licensees.

(Sec. 4 (1), 48 Stat. 1068; 47 U.S.C. 154 (1), sec. 318, 48 Stat. 1089, as amended March 29, 1937, 50 Stat. 56; 47 U.S.C. 318)

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-12609; Filed, August 21, 1944;
12:37 p. m.]

TITLE 49—TRANSPORTATION AND RAILROADS**Chapter II—Office of Defense Transportation**

[Administrative Order ODT 27, Amdt. 1]

PART 503—ADMINISTRATION**RATIONING OF NEW COMMERCIAL MOTOR VEHICLES**

Pursuant to the Act of May 31, 1941, as amended by the Second War Powers Act,

1942, Executive Orders 8989, as amended, 9156, 9214 and 9294, and War Production Board Directives 21 and 36,

It is hereby ordered, That § 503.473 of Administrative Order ODT 27 (9 F.R. 7092) is hereby amended to read as follows:

§ 503.473 *Issuance of certificate of transfer*. (a) Except as otherwise provided, a certificate of transfer will be issued by the Assistant Director, Office of Defense Transportation, in charge of the Highway Transport Department when recommended by the district manager or local appeal board in connection with a proper application and if it appears that the allocation to the applicant of the new commercial motor vehicle applied for will be consistent with the provisions of General Order ODT 44 (9 F.R. 7089), including the available supply of such vehicles; otherwise he will disapprove the application and so notify the applicant. The decision of the Assistant Director shall be final.

(b) (1) Whenever a proper application is made to the regional director, Division of Puerto Rican Transport, Office of Defense Transportation, San Juan, Puerto Rico, for a certificate of transfer in respect of a full trailer or semi-trailer held by any person for sale in Puerto Rico, and it appears that a new truck or truck-tractor will not be required by applicant to draw such trailer or semi-trailer, the regional director will issue a certificate of transfer if it further appears that the allocation to the applicant of the new commercial motor vehicle applied for will be consistent with the provisions of General Order ODT 44 (9 F.R. 7089), including the available supply of such vehicles; otherwise, he will disapprove the application and so notify the applicant. Upon written request by the applicant, the disapproval of any such application by the regional director will be reviewed by the Director of the Division of Puerto Rican Transport, who may affirm or reverse the action of the regional director. The decision of the Director shall be final.

(2) In any case where it appears in connection with an application made to the regional director, Division of Puerto Rican Transport, for a certificate of transfer in respect of a full trailer or semitrailer held by any person for sale in Puerto Rico that a new truck or truck-tractor will be required by the applicant to draw such trailer or semitrailer, the regional director shall either recommend approval of, or shall disapprove, such application (and any application for a new truck or truck-tractor filed by the applicant) in accordance with the provisions of § 503.471 of this order; and issuance of certificates of transfer in respect of such vehicles will be subject to paragraph (a) of this section.

This Amendment 1 to Administrative Order ODT 27 shall become effective August 22, 1944.

(Act of May 30, 1941, as amended by the Second War Powers Act, 1942, 56 Stat. 176, 50 App. U. S. Code, Secs. 631 through 645a; E.O. 8989, as amended,

6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; E.O. 9214, 7 F.R. 6097; E.O. 9294, 8 F.R. 221; War Production Board Directives 21 and 36, 8 F.R. 5834, 9 F.R. 6989)

Issued at Washington, D. C., this 22d day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-12654; Filed, August 22, 1944;
10:43 a. m.]

Notices**DEPARTMENT OF THE INTERIOR.****Bureau of Mines.****R. A. FOURT CONSTRUCTION CO.****ORDER REVOKING LICENSES, DIRECTING SURRENDER OF LICENSES, AND REQUIRING RECORDS TO BE FURNISHED**

To: R. A. Fourt, R. A. Fourt Construction Company, 4522 Grand Avenue, Fort Smith, Arkansas.

Based upon the records in this matter, including your answer, I make the following findings of fact:

1. On June 28, 1944, a specification of charges against you, setting forth violations of the Federal Explosives Act (55 Stat. 863), as amended, and the regulations pursuant thereto, of which you were accused, was mailed to you giving you notice to mail an answer within 15 days from June 28, 1944, answering the charges against you and requesting an oral hearing if you wished.

2. More than 45 days have elapsed since June 28, 1944. The length of time required for mail to be delivered to the Bureau of Mines, Washington, D. C., from Fort Smith, Arkansas, does not exceed four days. The only communication received from you is your answer dated July 3, 1944. You have not requested an oral hearing.

3. On or about January 7, 1944, and February 9, 1944, you stored explosives otherwise than in properly constructed, safely located, and securely locked magazines and you thereby violated section 17 (a) of the regulations.

4. On or about January 7, 1944, and February 9, 1944, you stored explosives on premises not marked with a sign containing the words "Explosives—Keep Off" and you thereby violated section 12 of the act and sections 17 (b) and 20 (c) of the regulations.

5. On or about January 7, 1944, you permitted Dale Underwood, a person not then individually licensed under the act, to have charge and custody of your explosives and you thereby violated sections 17 (d) and 20 (b) of the regulations.

6. You failed to keep a full, detailed, and tabulated record of your transactions and operations involving explosives and you thereby violated sections 14 (d) and 20 (d) of the regulations.

7. You failed and refused to furnish to one of my authorized representatives information concerning your business in so far as it related to or was connected

with explosives, particularly by failing to reply within 15 days to a letter sent to you on February 15, 1944, by R. D. Leitch, Chief, Explosives Control Division, and you thereby violated section 10 of the act.

8. On or about April 24, 1944, you stored explosives otherwise than in magazines meeting the standards set forth in the regulations and you thereby violated sections 24-28 of the regulations.

Now, therefore, by virtue of the authority vested in me by the Federal Explosives Act and the regulations thereunder, I hereby order:

1. That all licenses issued to you under the Federal Explosives Act be and they are hereby revoked as of midnight, September 2, 1944.

2. That prior to midnight, September 2, 1944, you shall sell or otherwise dispose of, to properly licensed persons, or use, or destroy, all explosives and ingredients of explosives owned or possessed by you or consigned to you or which are in your custody.

3. That after having sold or otherwise disposed of, or used, or destroyed, all the explosives or ingredients of explosives as required by paragraph 2 of this order you shall, prior to midnight, September 2, 1944, deliver or mail to G. M. Kintz, Supervising Engineer, United States Bureau of Mines, 1416 Gulf States Building, Dallas 1, Texas, a sworn statement of your transactions in and uses and destructions of explosives and ingredients of explosives beginning with the date of this order and ending with the final sale or other disposition or use or destruction of the explosives and ingredients of explosives as required above. The statement shall set forth the amount of each kind of explosives and ingredients of explosives which you had on hand at each location at the opening of business on the date of this order, the amount of each kind acquired by you that day and each day thereafter the dates on which acquired, the names and addresses of the persons from whom acquired, the amount of each kind sold or otherwise disposed of by you, the dates on which sold or otherwise disposed of, the names and addresses and the numbers and dates of the Federal explosives licenses of the persons to whom sold or otherwise disposed of, the amount of each kind used by you, the dates on which used and the places where used, and the amount of each kind destroyed by you, the dates on which destroyed, and the places where destroyed.

4. That prior to midnight, September 2, 1944, you shall surrender all licenses issued to you under the Federal Explosives Act and all copies thereof by mailing or delivering them to G. M. Kintz, Supervising Engineer, United States Bureau of Mines, 1416 Gulf States Building, Dallas 1, Texas.

Failure to comply with any of the provisions of this order will constitute a violation of the Federal Explosives Act, punishable by a fine of not more than Five Thousand Dollars (\$5,000), or im-

prisonment for not more than one year, or by both such fine and imprisonment.

This order shall be published in the FEDERAL REGISTER.

Dated at Washington, D. C., this 19th day of August 1944.

R. R. SALTERS,
Director.

[F. R. Doc. 44-12673; Filed, August 22, 1944;
11:32 a. m.]

Bureau of Reclamation.

TUCUMCARI PROJECT, N. MEX.

FIRST FORM RECLAMATION WITHDRAWAL

JUNE 24, 1944.

THE SECRETARY OF THE INTERIOR.

SIR: In accordance with the authority vested in you by the Act of June 26, 1936, (49 Stat. 1976), it is recommended that the following described lands be withdrawn from the public entry under the first form of withdrawal as provided in Section 3 of the Act of June 17, 1902 (32 Stat. 388).

TUCUMCARI PROJECT

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 12 N., R. 29 E.,
Sec. 15, Lot 1;
Sec. 22, Lots 1 and 2.
T. 11 N., R. 30 E.,
Sec. 36, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$.
T. 13 N., R. 32 E.,
Sec. 13, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 24, NW $\frac{1}{4}$ NE $\frac{1}{4}$.
T. 13 N., R. 33 E.,
Sec. 16, SW $\frac{1}{4}$ SW $\frac{1}{4}$.

Respectfully,

[SEAL]

H. W. BASHORE,
Commissioner.

I concur: August 5, 1944.

FRED W. JOHNSON,
Commissioner of the General
Land Office.

The foregoing recommendation is hereby approved, as recommended, and the Commissioner of the General Land Office will cause the records of his office and the district land office to be noted accordingly.

MICHAEL W. STRAUS,
Assistant Secretary.

AUGUST 11, 1944.

[F. R. Doc. 44-12678; Filed, August 22, 1944;
11:32 a. m.]

BOISE PROJECT, IDAHO

FIRST FORM RECLAMATION WITHDRAWAL

JULY 6, 1944.

THE SECRETARY OF THE INTERIOR.

SIR: In accordance with the authority vested in you by the Act of June 28, 1934 (48 Stat. 1269), as amended, it is recommended that the following described land be withdrawn from public entry under the first form of withdrawal, as provided in section 3 of the Act of June 17, 1902 (32 Stat. 388), and that Departmental Order of April 8, 1935 establish-

ing Idaho Grazing District No. 1 be modified and made subject to the withdrawal effected by this order.

BOISE PROJECT

BOISE MERIDIAN, IDAHO

T. 7 N., R. 5. W.,
Sec. 25, SW $\frac{1}{4}$ SW $\frac{1}{4}$.

Respectfully,

[SEAL]

H. W. BASHORE,
Commissioner.

I concur:

ANCHE D. RYAN,
Acting Director, Grazing Service.

I concur: August 5, 1944.

FRED W. JOHNSON,
Commissioner of the General
Land Office.

The foregoing recommendation is hereby approved, as recommended, and the Commissioner of the General Land Office will cause the records of his office and the district land office to be noted accordingly.

MICHAEL W. STRAUS,
Assistant Secretary.

AUGUST 11, 1944.

[F. R. Doc. 44-12677; Filed, August 22, 1944;
11:32 a. m.]

General Land Office.

MOUNT DIABLO MERIDIAN, NEV.

WITHDRAWAL OF PUBLIC LANDS

Stock Driveway Withdrawal No. 32, Nevada No. 4, revoked.

The order of the Secretary of the Interior dated September 13, 1918, withdrawing certain lands in Nevada for stock driveway purposes under section 10 of the act of December 23, 1916, 39 Stat. 865 (U.S.C., Title 43, sec. 300), is hereby revoked so far as it affects the following-described lands which are within Nevada Grazing District No. 3:

MOUNT DIABLO MERIDIAN

T. 12 N., R. 20 E.,
Sec. 23, NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, and SE $\frac{1}{4}$;
Sec. 36, NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, and S $\frac{1}{2}$.
The areas described aggregate 880 acres.

This order shall not otherwise become effective to change the status of the lands until 10:00 a. m. of the sixty-third day from the date on which it is signed, whereupon the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to such application, petition, location, or selection as may be authorized by the public-land laws in accordance with the provisions of 43 C.F.R. 295.8 (Circ. 324, May 22, 1914, 43 L.D. 254) and 43 C.F.R. part 296, to the extent that these regulations are applicable.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

AUGUST 14, 1944.

[F. R. Doc. 44-12676; Filed August 22, 1944;
11:32 a. m.]

PRINCIPAL MERIDIAN, MONT.

WITHDRAWAL OF PUBLIC LANDS

Stock Driveway Withdrawal No. 13, Montana No. 2, reduced; Stock Driveway Withdrawals Nos. 223 and 230, Montana Nos. 10 and 15, revoked.

The orders of the Acting Secretary, Assistant Secretary and First Assistant Secretary of the Interior of April 24, 1918, May 14, 1931, and April 19, 1932, withdrawing certain lands in Montana for stock driveway purposes under section 10 of the act of December 29, 1916, 39 Stat. 865, 43 U.S.C. 300, are hereby revoked so far as they affect the following-described lands, which are within Montana Grazing District No. 2:

PRINCIPAL MERIDIAN

- T. 25 N., R. 40 E.,
Sec. 24, E½.
- T. 25 N., R. 41 E.,
Sec. 15, NW¼SW¼ and S½SW¼;
Sec. 19, NW¼ and S½;
Sec. 20, S½N½ and S½;
Sec. 21, NW¼NW¼;
Sec. 22, NW¼NE¼, S½NE¼, N½NW¼, SE¼NW¼, NE¼SW¼, and SE¼;
Sec. 27, E½;
Sec. 34, N½NE¼, SE¼NE¼, and NE¼SE¼;
Sec. 35, NW¼NW¼, S½NW¼, SW¼, and W½SE¼.
- T. 21 N., R. 42 E.,
Secs. 2, 11, 14, 23, 26, and 35.
- T. 22 N., R. 42 E.,
Secs. 2, 11, 14, 23, 26, and 35.
- T. 23 N., R. 42 E.,
Sec. 3, E½NE¼, N½SE¼, and SW¼SE¼;
Sec. 10, NW¼NE¼, S½NE¼, N½SE¼, and SE¼SE¼;
Sec. 11, S½SW¼;
Sec. 13, NE¼NE¼, S½NE¼, SE¼NW¼ and SE¼;
Sec. 14, W½NE¼ and NW¼;
Sec. 24, NE¼SW¼, S½SW¼, and SE¼;
Sec. 25;
Sec. 26, NE¼SE¼ and S½SE¼;
Sec. 35.
- T. 24 N., R. 42 E.,
Sec. 6, lots 4, 5, and 6;
Sec. 7, NW¼NE¼, S½NE¼, NW¼, N½SW¼, SE¼SW¼, and SE¼;
Sec. 18, N½NE¼, SW¼NE¼, NW¼SE¼, and S½SE¼;
Sec. 19, NE¼, and NE¼SE¼;
Sec. 20, W½W½;
Sec. 28, N½ and SE¼;
Sec. 29, NW¼NE¼ and N½NW¼;
Sec. 33, NE¼NE¼;
Sec. 34, SW¼NE¼, NW¼, NE¼SW¼, N½SE¼, and SE¼SE¼.
- T. 23 N., R. 43 E.,
Secs. 18 and 19.
- T. 25 N., R. 43 E.,
Sec. 1, W½ and W½SE¼;
Sec. 2, N½, NE¼SW¼, S½SW¼, and SE¼;
Sec. 12, NE¼, NE¼NW¼, N½SE¼, and SW¼SE¼;
Sec. 13, NW¼NE¼, NE¼NW¼, and E½SE¼;
Sec. 24, E½E½, SW¼SE¼, and S½SW¼;
Sec. 25, N½NW¼;
Sec. 26, N½N½;
Sec. 27, N½N½ and SW¼NE¼.
- T. 26 N., R. 43 E.,
Sec. 26, NE¼SE¼ and S½SE¼;
Sec. 35, NE¼ and E½NW¼.
- T. 27 N., R. 43 E.,
Sec. 28, lots 3 and 4.

The areas described, including both public and nonpublic lands aggregate 19,423.53 acres.

This order shall not otherwise become effective to change the status of the lands until 10:00 a. m. of the sixty-third day from the date on which it is signed, whereupon the public lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to such application, petition, location, or selection as may be authorized by the public-land laws in accordance with the provisions of 43 C.F.R. 295.8 (Circ. 324, May 22, 1914, 43 L.D. 254) and 43 C.F.R. Part 296, to the extent that these regulations are applicable.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

AUGUST 14, 1944.

[F. R. Doc. 44-12675; Filed, August 22, 1944;
11:32 a. m.]

[Order 169]

APPLICATION FOR PUBLIC LANDS

EXTENSION OF PROCEDURE

JULY 18, 1944.

The procedure described in General Land Office Order No. 158, approved by the Department on January 7, 1944 (9 F. R. 701), for affording all persons interested an equal opportunity to apply for public lands which become subject to such applications because of the official filing of a plat of survey or resurvey, or of an order revoking a withdrawal or reservation, is hereby extended to lands of the following classes, when restored to the public domain:

1. Lands acquired by the United States as a result of court proceedings, or a demand for reconveyance made by this Department.

2. Lands reconveyed to the United States by a State or private owner in an exchange under the Taylor Grazing Act.

3. Lands patented to a State under the Carey Act and reconveyed to the United States by the State, for any reason.

The procedure herein referred to shall not apply to any case where a restoration from withdrawal is made for the benefit of a particular individual or State, based upon equitable considerations or the public interests, or where the lands offered as base in an exchange under the Taylor Grazing Act are situated in a national park, or Indian or other reservation, which would preclude the filing of applications therefor under the public land laws.

Hereafter, any order making public lands available after public notice, in accordance with Order No. 158, or this order, must be prepared for publication in the FEDERAL REGISTER.

FRED W. JOHNSON,
Commissioner.

Approved: August 15, 1944.

OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 44-12698; Filed, August 22, 1944;
11:32 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6651]

ALLOCATION OF FREQUENCIES TO NON-GOVERNMENTAL SERVICES

NOTICE OF HEARING

In the matter of allocation of frequencies to the various classes of non-governmental services in the radio spectrum from 10 kilocycles to 30,000,000 kilocycles.

Whereas, the Commission is authorized and required by section 303 (c) of the Communications Act of 1934, as amended, to "assign bands of frequencies to the various classes of stations"; and

Whereas, the Commission is further authorized and required by sections 4 and 303 of the Communications Act of 1934, as amended, to "classify radio stations" and "prescribe the nature of the service to be rendered by each class of licensed stations"; "assign frequencies for each individual station and determine the power which each station shall use and the time during which it may operate"; "determine the location of classes of stations or individual stations"; "regulate the kind of apparatus to be used with respect to its external effects and the purity and sharpness of the emissions from each station"; "make such regulations not inconsistent with law as it may deem necessary to prevent interference between stations"; "study new uses for radio, provide for experimental uses of frequencies, and generally encourage the larger and more effective use of radio in the public interest"; "establish areas or zones to be served by any station"; "make such rules and regulations and prescribe such restrictions and conditions * * * as may be necessary to carry out the provisions of" the Communications Act, "or any international radio or wire communications treaty or convention"; and, "for the purpose of obtaining maximum effectiveness from the use of radio * * * in connection with safety of life and property, * * * investigate and study all phases of the problem and the best methods of obtaining the cooperation and coordination of these systems"; and

Whereas, the Commission, the other interested Government departments, and the radio industry all recognize that a complete review of present allocations of bands of frequencies in the radio spectrum is necessary as a result of the important advances in the radio art which have been made during the war and the greatly increased demands for the use of radio; and

Whereas, it is essential in the interest of orderly planning that frequency allocations be determined before the manpower, materials and manufacturing facilities now devoted to war production become available for the production of civilian equipment; and

Whereas, the Commission, the Interdepartmental Radio Advisory Committee, and the radio industry, represented

chiefly by the Radio Technical Planning Board, have for some time been conducting studies looking toward the reallocation of frequencies to the various services operating in the radio spectrum; and

Whereas, the Department of State has recently held conferences with interested agencies and parties and has announced that it desires that recommendations with respect to international agreements for the allocation of radio frequencies be available by December 1, 1944; and

Whereas, it is essential that the frequency requirements of the United States be determined before appropriate recommendations can be made looking toward international agreements; and

Whereas, the Commission is of the opinion that the most effective manner of discharging its responsibility for securing the data necessary to determine the frequency requirements of the United States non-governmental radio services is to hold formal hearings at which all interested persons may present their views;

Now, therefore, it is ordered, This 15th day of August, 1944, that a hearing be held before the Commission en banc commencing at 10:30 a. m. on September 28, 1944, at the offices of the Commission in Washington, D. C., for the purpose of:

(1) Determining the present and future needs of the various classes of non-governmental services for frequencies in the radio spectrum from 10 kilocycles to 30,000,000 kilocycles with the view of ultimately assigning bands of frequencies to such services;

(2) Securing for the public and the Commission a clear understanding of the conflicting problems which confront the industry and the regulatory body in the application of frequencies to the service of the public;

(3) Encouraging experimentation along such lines as may be justified from the evidence presented at the hearing;

(4) Considering the allocation of frequencies to be proposed by the Radio Technical Planning Board;

(5) Considering the proposed allocation of the Interdepartmental Radio Advisory Committee dated June 15, 1944, insofar as it pertains to allocations to non-governmental services; and to obtain full information as to what recommendations the Commission should make to the Interdepartmental Radio Advisory Committee with respect to possible conflicts between the requirements of the non-governmental radio services and the proposed Interdepartmental Radio Advisory Committee allocations to the Government radio services;

(6) Assisting the Government in its preparation for future International Conferences;

(7) Determining what recommendations, if any, the Commission should make to the Congress for the enactment of additional legislation on the matters covered by this order.

It is further ordered, That persons or organizations desiring to appear and testify shall notify the Commission of such intention on or before September 11, 1944, stating the names of all witnesses

who will appear, the topic each will discuss and the time expected to be required for the testimony. Persons who intend to testify at the hearing should prepare exhibits which show the requirements for frequency bands and positions in the frequency spectrum for the service to which their testimony is directed and five copies of each exhibit should be furnished the Commission on or before September 20, 1944.

[SEAL] FEDERAL COMMUNICATIONS
COMMISSION,
T. J. SLOWIN,
Secretary.

[F. R. Doc. 44-12610; Filed, August 21, 1944;
12:36 p. m.]

[Docket No. 6651]

ALLOCATION OF FREQUENCIES TO NON-GOVERNMENTAL SERVICES

PROCEDURE TO BE FOLLOWED AT HEARING

In the matter of allocation of frequencies to the various classes of non-governmental services in the radio spectrum from 10 kilocycles to 30,000,000 kilocycles.

Notice is hereby given of the procedure to be followed at the hearing of the Commission to be held in the offices of the Commission in Washington, D. C., beginning at 10:30 a. m. September 28, 1944, pursuant to the order of the Commission dated August 15, 1944, in Docket No. 6651.

1. As stated in the Commission's order of August 15th, persons or organizations desiring to appear and testify at the hearing shall notify the Commission of such intention on or before September 11, 1944, stating the names of all witnesses who will appear, the topic each will discuss and the time expected to be required for the testimony. Persons who intend to testify at the hearing should prepare exhibits which show the requirements for frequency bands and positions in the frequency spectrum for the service to which their testimony is directed and five copies of each exhibit should be furnished the Commission on or before September 20, 1944. In addition, parties should be prepared to present 20 additional copies of all exhibits at the time when they are offered for the record.

2. The Commission will first receive testimony from the Radio Technical Planning Board as to its proposal for the allocation of frequencies to the non-governmental radio services.

3. The Commission will then proceed to receive testimony with respect to the needs of the various individual services both from the Radio Technical Planning Board representatives and from all interested parties. For purposes of convenience of presentation only, the radio services are divided as follows:

- (1) Standard Broadcast.
- (2) High Frequency (FM) Broadcast.
- (3) Non-Commercial Educational Broadcast.
- (4) Television Broadcast.
- (5) Facsimile Broadcast.
- (6) International Broadcast.

(7) Other Broadcast Services (including relay, pick-up, and studio-transmitter-link).

(8) Fixed Public Services (other than Alaska).

(9) Coastal, Marine Relay, Ship, Mobile Press, and Fixed Public Service in Alaska.

(10) Aviation Services.

(11) Police, Fire and Forestry Services.

(12) Special Emergency, Provisional and Motion Picture Services.

(13) Special Services (geophysical, relay press).

(14) Amateur.

(15) Industrial, Scientific, and Medical Services.

(16) Relay Systems (Program and Public and Private Communication).

(17) New Radio Services.

In addition to receiving testimony on the above established radio services, the Commission will receive testimony on the question of whether any new radio services not heretofore recognized should be provided for in any frequency allocation.

4. As soon as notices of appearances are received from persons and organizations desiring to present testimony, the Commission will issue a further notice indicating the order in which the requirements of the various above-named services will be considered. An effort will be made to arrange the order of appearances so as to permit all related services to be heard as nearly as possible at the same period of the hearing.

5. Persons appearing before the Commission at the hearing in behalf of a particular service should be prepared to furnish information at least on the following subjects:

EVALUATION OF SERVICES FROM THE STANDPOINT OF PUBLIC NEED AND BENEFIT

(a) The dependence of the service on radio rather than wire lines.

(b) The probable number of people who will receive benefits from the service.

(c) The relative social and economic importance of the service, including safety of life and protection of property factors.

(d) The probability of practical establishment of the service and the degree of public support which it is likely to receive.

(e) The degree to which the service should be made available to the public, that is, whether on a limited scale or on an extended competitive scale.

(f) Areas in which service should be provided and, in general, the points to which communication must be maintained.

(g) When it is proposed to shift a service from its present location in the spectrum, data should be presented showing the feasibility and cost of the shift, particularly with respect to the technical, economic and other considerations involved, and the length of time and manner for completing the shift.

TECHNICAL

(a) The frequency bands required for a given service and the exact position thereof in the radio frequency spectrum; also the width of communication bands or channels within each portion required for station frequency assignments.

(b) Suitability and necessity for particular portions of the spectrum for the service involved. This includes propagation characteristics and reliable range data.

(c) Field intensity required for reliable service.

(d) The number of stations required to enable efficient service to be rendered.

(e) The distance over which communication must be maintained.

(f) The relative amount of radio and other electrical interference likely to be encountered.

(g) The relative amount of noise which may be tolerated in the rendering of service.

(h) Apparatus limitations, both transmitter and receiver.

6. The Commission will endeavor to make available through its own witnesses any information, particularly of a technical nature, which may be helpful in connection with the proposed use of particular frequencies by specific services.

[SEAL] FEDERAL COMMUNICATIONS
COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-12611; Filed, August 21, 1944;
12:36 p. m.]

[Docket No. 6647]

CHATTAHOOCHEE BROADCASTERS

NOTICE OF HEARING

In re application of Fred B. Wilson and Channing Cope, d/b as Chattahoochee Broadcasters (New); date filed, June 27, 1944; for construction permit, class of service, broadcast; class of station, broadcast; location, Marietta, Georgia; operating assignment specified; frequency, 1230 kc; power, 250 watts; hours of operation, unlimited time. File No. B3-P-3652.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the application of Marietta Broadcasting Company (Virgil V. Evans, Owner), Docket No. 6646, on September 18, 1944, in the offices of the Commission, Washington, D. C., for the following reasons:

1. To determine the legal, technical and financial qualifications of the applicant partnership to construct and operate the proposed station;

2. To obtain full information with respect to the nature and character of the proposed program service;

3. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its memorandum opinion dated April 27, 1942, or any subsequent modifications thereof;

4. To determine the areas and populations which would receive primary service from the operation of the proposed station, and what other broadcast services are available to these areas and populations;

5. To determine the extent of any interference which would result from a simultaneous operation of the proposed station and Station WBLJ, Dalton, Georgia;

6. To determine the areas and populations which would lose primary service, particularly from Station WBLJ as a result of the operation of the proposed station, and what other broadcast services are available to those areas and populations.

7. To determine whether the granting of this application would tend toward a

fair, efficient and equitable distribution of radio service as contemplated by section 307 (b) of the Communications Act of 1934, as amended.

8. To determine whether in view of the facts adduced under the foregoing issues, public interest, convenience or necessity would be served through the granting of this application, the application of Marietta Broadcasting Company (File No. B3-P-3573, Docket No. 6646) or either of them.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant, unless already made a party to this proceeding, who desire to be heard, must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Fred B. Wilson & Channing Cope, d/b as Chattahoochee Broadcasters, % Channing Cope, 75 Marietta Street, Atlanta, Georgia.

The following was made a party to this proceeding and is subject to the provisions of § 1.141 of the Commission's rules: Dalton Broadcasting Corporation, Radio Station WBLJ, 111 South Pantz Street, Dalton, Georgia.

Dated at Washington, D. C., August 19, 1944.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-12612; Filed, August 21, 1944;
12:37 p. m.]

INTERSTATE COMMERCE COMMISSION.

[S.O. 70-A, Special Permit 459]

RECONSIGNMENT OF PEACHES AT KANSAS CITY, MO.-KANS.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Kansas City, Missouri-Kansas, August 17, 1944, by De Feo Fruit Company of car PFE 62489, peaches, now on the Union Pacific Railroad to Joplin, Missouri (K.C.S.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car

service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 17th day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-12662; Filed, August 22, 1944;
11:17 a. m.]

[S. O. 70-A, Special Permit 460]

RECONSIGNMENT OF APRICOTS AT INDIANAPOLIS, IND.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Indianapolis, Indiana, August 17, 1944, by Auster Company of car FGE 32610, apricots, now on the Pennsylvania Railroad, to Mike Gegaro Company, Cincinnati, Ohio (C&O).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 17th day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-12663; Filed, August 22, 1944;
11:17 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 10, Amdt. 1]

COMMON CARRIERS.

COORDINATED OPERATIONS BETWEEN INDIANAPOLIS AND LAFAYETTE, IND.

Upon consideration of a notice filed with the Office of Defense Transportation pursuant to § 501.9 (d) of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778) by carriers subject to Supplementary Order ODT 3, Revised-19 (8 F.R. 5280), and good cause appearing therefor, *It is hereby ordered, That:*

Supplementary Order ODT 3, Revised-19, be and it is hereby, amended by eliminating Kenneth G. Foster, doing business as Foster Freight Lines, of Indianapolis, Indiana, as a carrier subject thereto, and by substituting in lieu thereof Foster Freight Lines, Inc., of Indianapolis, Indiana.

Issued at Washington, D. C., this 22d day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-12655; Filed, August 22, 1944;
10:43 a. m.]

[Supp. Order ODT 6A-38]

COMMON CARRIERS

COORDINATED OPERATIONS WITHIN NEW YORK AND RICHMOND COUNTIES, N. Y.

Upon consideration of a plan for joint action, filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A (8 F.R. 8757, 14582; 9 F.R. 2794), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination is necessary in order to conserve and providently utilize vital transportation equipment, materials and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or supplements to filed tariffs or schedules, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the

plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 6A-38" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington, D. C.

This order shall become effective August 26, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 22d day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Shepherd Warehouses, Inc., New York, N. Y.
Stephen F. Smaruch, doing business as
Steve's Express, Staten Island, N. Y.

[F. R. Doc. 44-12656; Filed, August 22, 1944;
10:42 a. m.]

[Supp. Order ODT 6A-39]

COMMON CARRIERS

COORDINATED OPERATIONS IN CALIFORNIA

Upon consideration of a plan for joint action filed with the Office of Defense

Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A (8 F.R. 8757, 14582; 9 F.R. 2794), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination is necessary in order to conserve and providently utilize vital transportation equipment, materials and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or supplements to filed tariffs or schedules, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall

¹ Filed as part of the original document.

¹ Filed as part of the original document.

be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 6A-39" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington, D. C.

This order shall become effective August 26, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 22d day of August 1944.

J. M. JOHNSON,
Director,

Office of Defense Transportation.

APPENDIX 1

Walkup Drayage & Warehouse Co., San Francisco, Calif.

Merchants Express Corporation, Oakland, Calif.

Vallejo, Napa & Calistoga Transport Co., San Francisco, Calif.

[F. R. Doc. 44-12657; Filed, August 22, 1944; 10:43 a. m.]

[Supp. Order ODT 6A-40]

COMMON CARRIERS

COORDINATED OPERATIONS WITHIN NEW YORK CITY AND ADJACENT SUBURBS IN WESTCHESTER COUNTY, N. Y.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A (8 F.R. 8757, 14582; 9 F.R. 2794), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination is necessary in order to conserve and providently utilize vital transportation equipment, materials and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation

forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or supplements to filed tariffs or schedules, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject thereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 6A-40" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington, D. C.

This order shall become effective August 26, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 22d day of August 1944.

J. M. JOHNSON,
Director,

Office of Defense Transportation.

APPENDIX 1

Albert Brezner, Harry Brezner, Lewis Brezner and Harry L. Abend, co-partners, doing business as Al's Auto Express, New York, N. Y.

Frank J. Canon, New York, N. Y.

Martin Chait, doing business as Faultless

Trucking Company, New York, N. Y.

Benjamin Swillinger, doing business as L. &

S. Delivery & Transfer, New York, N. Y.

[F. R. Doc. 44-12658; Filed, August 22, 1944; 10:42 a. m.]

OFFICE OF ECONOMIC STABILIZATION.

[Price Authorization Order 1-45]

BITUMINOUS COAL

ORDER AUTHORIZING MAXIMUM PRICE
SCHEDULE REVISIONS

In order to aid in the effective prosecution of the war; *It is hereby ordered:*

The Office of Price Administration is authorized to make such revisions and consolidations of price schedules for bituminous coal set forth in Maximum Price Regulation No. 120 for the various bituminous coal producing districts as in the judgment of the Price Administrator and of the Solid Fuels Administrator for War are necessary to assure production of critically needed sizes of coals and to aid in the enforcement and administration of the maximum price regulation; *Provided*, That there shall be no increase in over-all realization in any district as a result of such revision and consolidation of a schedule in excess of 3 cents per net ton; *And provided further*, That there shall be no appreciable increase in the prices of coals primarily used for domestic heating.

This order shall become effective August 18, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 18th day of August 1944.

FRED M. VINSON,
Economic Stabilization Director.

[F. R. Doc. 44-12650; Filed, August 21, 1944; 4:49 p. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 188, Order 25 Under 2d Rev. Order A-3]

ALLEN CHAIR CORP.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 25 under Second Revised Order A-3 under § 1499.159b of Maxi-

¹ Filed as part of the original document.

maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328 it is ordered:

(a) *Purpose of this order.* This order permits the Allen Chair Corporation, West Concord, Massachusetts, to increase its maximum prices for sales and deliveries of wood office chairs of its manufacture as described in the application, in the amounts set forth below. This order also permits persons who purchase these articles from the manufacturer, for resale, to increase their maximum prices by like amount.

(b) *Adjustment of maximum prices.* The Allen Chair Corporation, West Concord, Massachusetts, for all its sales and deliveries may add the following increases to its present net selling prices:

Model No:	Increases in net selling prices
121-R18" Chair.....	\$0.36
121-R24" Chair.....	.45
121-R30" Chair.....	.58
540-0 Chair.....	.83
540-2 Chair.....	1.06
547-2 Chair.....	1.86
548-0 Chair.....	.92
548-2 Chair.....	.98
548-5W Chair.....	.30
550-10 Chair.....	.74
550-12 Chair.....	.26
587-0 Chair.....	.67
2224 Chair.....	.35
804 Chair.....	.40
1004 Chair.....	.46
2746 Chair.....	.45

The adjusted maximum prices established by this order are subject to a cash discount of one per cent for payment within thirty days, net sixty days. All purchasers for resale of the above articles may add the adjustment charges to their maximum prices: *Provided*, The adjustment charge is separately quoted and billed, and provided they comply with the requirements for notice set forth in paragraph (c) below:

(c) *Notice.* At the time of or prior to the first invoice to a purchaser at a price which includes the adjustment charges provided in paragraph (b) above, the Allen Chair Corporation and its purchasers for resale shall send a notice to the purchaser fully explaining the terms of this order.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 22, 1944.

Issued this 21st day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-12640; Filed, August 21, 1944;
4:41 p. m.]

[MPR 188, Order 1029]

D AND G Mfg. Co.

ADJUSTMENT OF MAXIMUM PRICES

Correction

In F. R. Doc. 44-11495, appearing on page 9378 of the issue of Wednesday, August 2, 1944, the fifth model number in paragraph (a) (2) (i) should read "1300½".

[MPR 188, Order 2145]

HARRY E. RATA

APPROVAL OF MAXIMUM PRICES

Order No. 2145 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a juvenile lawn chair manufactured by Harry E. Rata.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, it is ordered:

(a) This order establishes maximum prices for sales and deliveries, of a juvenile lawn chair manufactured by Harry E. Rata, 3601 El Monte Way, Fresno, California.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Juvenile lawn chair.....	Each \$9.45	Each \$9.60

These prices are f. o. b. factory, and are for the article described in the manufacturer's application dated April 12, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method,

§ 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article and Model No.:	Maximum price to retailers
Juvenile lawn chair.....	\$0.56 each.

This price is for the article described in the manufacturer's application dated April 12, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 23d day of August 1944.

Issued this 22d day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-12637; Filed, August 22, 1944;
11:51 a. m.]

[MPR 183, Order 2151]

TOM A TOYS

APPROVAL OF MAXIMUM PRICES

Order No. 2151 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sale of a juvenile set manufactured by Tom A Toys.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, it is ordered:

(a) This order establishes maximum prices for sales and deliveries, of a juvenile set manufactured by Tom A Toys, Monett, Missouri.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer

to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Juvenile set.....	Juvenile set.....	Each \$8.16	Each \$9.60

These prices are f. o. b. factory and are subject to a cash discount of two percent for payment within ten days, net thirty days and are for the articles described in the manufacturers application, dated June 21, 1944.

(i) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Juvenile set.....	Juvenile set.....	Each \$9.60

This price is f. o. b. factory and is subject to a cash discount of two percent for payment within ten days, net thirty days, and is for the article described in the manufacturers application dated June 21, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions estab-

lished by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 23d day of August 1944.

Issued this 22d day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-12689; Filed, August 22, 1944; 11:52 a. m.]

[MPR 188, Order 2152]

HERMAN HOFFMAN

APPROVAL OF MAXIMUM PRICES

Order No. 2152 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a rocking lawn chair manufactured by Herman Hoffman.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended and Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a rocking lawn chair manufactured by Herman Hoffman, Desloge, Missouri.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the Manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Rocking lawn chair.....		Each \$2.00	Each \$2.35

These prices are f. o. b. factory, and are for the article described in the manufacturer's application dated May 10, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the

manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Rocking lawn chair.....		Each \$2.35

This price is for the article described in the manufacturer's application dated May 10, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 23d day of August 1944.

Issued this 22d day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-12693; Filed August 22, 1944; 11:50 a. m.]

[MPR 188, Order 2153]

W. E. BALLARD

APPROVAL OF MAXIMUM PRICES

Order No. 2153 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum price for a child's valet manufactured by W. E. Ballard.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of a child's valet manufactured by W. E. Ballard, Route 1, Box 108B, Mineral Springs, Texas.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Child's valet.....	Th e valet	Each \$1.51	Each \$1.78

These prices are subject to a cash discount of two percent for payment within ten days, net thirty days.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Child's valet.....	Child's valet.....	Each \$1.78

This price is subject to a cash discount of two percent payment within ten days, net thirty days.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the

maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 23d day of August 1944.

Issued this 22d day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-12694; Filed, August 22, 1944; 11:50 a. m.]

[MPR 188, Order 2154]

COLIN AND CO.

APPROVAL OF MAXIMUM PRICES

Order No. 2154 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sale of a child's valet manufactured by Colin and Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a child's valet manufactured by Colin & Company, 4161 Beck Avenue, North Hollywood, California.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Child's valet.....	102	Each \$2.21	Each \$2.60

These prices are f. o. b. factory and are subject to a cash discount of two percent for payment within ten days, net thirty days and is for the article described in the manufacturer's application dated May 16, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942,

on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Child's valet.....	102	Each \$2.60

This price is subject to a cash discount of two percent for payment within ten days, net thirty days and is for the article described in the manufacturer's application dated May 16, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 23d day of August 1944.

Issued this 22d day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-12695; Filed, August 22, 1944; 11:50 a. m.]

[MPR 188, Order 2153]

KILGEN ORGAN CO.

APPROVAL OF MAXIMUM PRICES

Order No. 2155 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a bed tray manufactured by the Kilgen Organ Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the

Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a bed tray manufactured by The Kilgen Organ Company, 4632 W. Florissant Avenue, St. Louis, Missouri.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Bed tray.....		Each \$2.25	Each \$2.65

These prices are f. o. b. factory, and are for the article described in the manufacturer's application dated June 30, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Bed tray.....		Each \$2.65

This price is for the article described in the manufacturer's application dated June 30, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 23d day of August 1944.

Issued this 22d day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-12696; Filed August 22, 1944;
11:49 a. m.]

[MPR 188, Order 2156]

WOOD PRODUCTS CO.

APPROVAL OF MAXIMUM PRODUCTS

Order No. 2156 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of a maximum price for an unfinished book shelf manufactured by H. C. Cook, Wood Products Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a book shelf manufactured by H. C. Cook, Wood Products Company, 1830 Charlotte Street, Kansas City, Missouri.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Unfinished bookshelf.....	Bookshelf.....	Each \$1.41	Each \$1.67

These prices are f. o. b. factory and are subject to a cash discount of two percent for payment within ten days, net thirty days and are for the article described in the manufacturer's application dated June 1, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of pur-

chaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Unfinished bookshelf.....	Bookshelf.....	Each \$1.67

This price is subject to a cash discount of two percent for payment within ten days, net thirty days and are for the article described in the manufacturer's application dated June 1, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 23d day of August 1944.

Issued this 22d day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-12697; Filed, August 22, 1944;
11:50 a. m.]

[MPR 188, Order 2157]

EASTERN WOOD AND PLASTIC CO.

APPROVAL OF MAXIMUM PRICES

Order No. 2157 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Ap-

proval of maximum prices for sales of two magazine racks, one wall shelf and one corner shelf manufactured by Eastern Wood and Plastic Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of two magazine racks, one wall shelf and one corner shelf manufactured by Eastern Wood and Plastic Company, 898 McDonald Avenue, Brooklyn, New York.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Magazine rack.....		Each \$1.08	Each \$1.35
Magazine rack.....		Per dz. 1.08	Per dz. 1.35
Wall shelf.....		9.38	11.70
Corner shelf.....		8.52	8.16

These prices are f. o. b. factory and are subject to a cash discount of two percent for payment within ten days, net thirty days and are for the articles described in the manufacturer's application dated June 13, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

No. 168—6

Article	Model No.	Maximum price to retailers
Magazine rack.....		\$1.25 each.
Magazine rack.....		\$1.35 each.
Wall shelf.....		\$11.70 per doz.
Corner shelf.....		\$3.10 per doz.

These prices are subject to a cash discount of two percent for payment within ten days, net thirty days and are for the articles described in the manufacturer's application dated June 13, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 23d day of August 1944.

Issued this 22d day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-12688; Filed, August 22, 1944;
11:52 a. m.]

[MPR 188, Order 2159]

AMERICAN PRODUCTS MFG. CO.

APPROVAL OF MAXIMUM PRICES

Order No. 2158 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a smokador manufactured by American Products Mfg. Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a smokador manufactured by American Products Mfg. Co., 2659 West Nineteenth Street, Chicago 8, Illinois.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's

stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Smoking stand.....	Smokador.	Each \$3.04	Each \$11.02

These prices are f. o. b. factory and are subject to a cash discount of one percent for payment within ten days, net thirty days and are for the article described in the manufacturer's application dated June 15, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Smoking stand.....	Smokador.....	Each \$11.02

This price is subject to a cash discount of one percent for payment within ten days, net thirty days and is for the article described in the manufacturer's application of June 15, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 23d day of August 1944.

Issued this 22d day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-12686; Filed, August 22, 1944;
11:51 a. m.]

[MPR 188, Order 2144]

DURANTE FURNITURE NOVELTY CO.

APPROVAL OF MAXIMUM PRICES

Order No. 2144 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of three items of juvenile furniture manufactured by Durante Furniture Novelty Co.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of three items of juvenile furniture manufactured by Durante Furniture Novelty Co., 5708 Park Avenue, West New York, New Jersey.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Juvenile chifforobe.....	300	Each \$10.41	Each \$12.25
Juvenile chest of drawers.....	302	9.65	11.35
Juvenile utility chest.....	306	4.97	5.85

These prices are f. o. b. factory, and are for the articles described in the manufacturer's application filed May 15, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales dur-

ing March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Juvenile chifforobe.....	300	Each \$12.25
Juvenile chest of drawers.....	302	11.35
Juvenile utility chest.....	306	5.85

These prices are for the articles described in the manufacturer's application filed May 15, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 23d day of August 1944.

Issued this 22d day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-12691; Filed August 22, 1944;
11:47 a. m.]

[MPR 188, Order 2146]

AMES METAL MOULDING CO., INC.

APPROVAL OF MAXIMUM PRICES

Order No. 2146 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of an unfinished bed tray manufactured by Ames Metal Moulding Company, Incorporated.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of an unfinished bed tray manufactured by Ames Metal Moulding Company, Inc., 225-229 East 144th Street, New York, New York.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Unfinished bed tray.....		Each \$0.81	Each \$0.95

These prices are f. o. b. factory, subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated March 29, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article and Model No.:	Maximum price to retailers
Unfinished bed tray.....	\$0.95 each

This price is subject to a cash discount of two percent for payment within ten days, net thirty days and is for the article described in the manufacturer's application dated March 29, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the

maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 23d day of August 1944.

Issued this 22d day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-12692; Filed, August 22, 1944;
11:47 a. m.]

[MPR 188, Amdt. 8 to Order 1052]

MOVABLE WOOD HOUSEHOLD FURNITURE

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Order Nos. 9250 and 9328, Order No. 1052 under Maximum Price Regulation No. 188, is amended in the following respect:

Paragraph (b) is amended to read as follows:

(b) *What this order covers.* This order covers sales of articles of movable wood household furniture, including upholstered furniture, with the exception of certain articles mentioned in paragraph (c). As used in this order, household furniture means furniture which is primarily designed for and generally used in homes, such as living room, dining room, bedroom (including wood and fabric folding cots and cedar chests), kitchen, porch, outdoor and juvenile furniture (including cribs, high chairs and wooden bassinets, bathinets, play pens, porch and stair gates and infants' toilet seats). Articles of this type

are covered by the order even though they are sold for use in places other than households, such as hotels, clubs, institutions and ships. This order also covers dining room, dinette, breakfast room, kitchen and bedroom chair frames, bedroom bench frames, and frames for upholstered furniture. Furniture known in the trade as unpainted furniture, which is ultimately sold to the consumer in that form is also covered. Assembled wood household furniture parts are likewise covered.

This amendment shall become effective August 28, 1944.

Issued this 22d day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12690; Filed, August 22, 1944;
11:47 a. m.]

OFFICE OF PRICE ADMINISTRATION.

Regional and District Office Orders.

[Trenton Order G-2 Under MPR 426]

FRESH FRUITS AND VEGETABLES IN TRENTON, N. J., DISTRICT

Order No. G-2 under Section 8 (a) (7) of Maximum Price Regulation No. 426. Fresh fruits and vegetables for table use; sales except at retail. Amount of freight from basing point to wholesale receiving point allowed for determining maximum prices of certain fresh fruits and vegetables at Trenton, N. J., New Brunswick, N. J., Perth Amboy, N. J., Red Bank, N. J., Freehold, N. J., and Asbury Park, N. J.

For the reasons stated in an opinion issued simultaneously herewith and pursuant to the authority contained in section 8 (a) (7) of Maximum Price Regulation No. 426, this order is hereby issued.

Section 1. *What this order does.* This order establishes the amount of freight from basing point to wholesale receiving point which may be added to the maximum basing point price for the purpose

of determining maximum selling prices of the fresh fruits and vegetables listed in the appendix, annexed hereto and made a part hereof, at the wholesale receiving point listed in said appendix and the markets which each wholesale receiving point so listed serves.

Sec. 2. *Where this order applies.* This order applies in the counties of Mercer, Hunterdon, Ocean, Middlesex, Monmouth, Somerset and Warren in the State of New Jersey.

Sec. 3. *Determination of the amount of freight allowed in establishing maximum selling prices.* The amount of freight from basing point to wholesale receiving point which may be added to the maximum basing point price for the purpose of determining maximum selling prices of any fresh fruit or vegetable item listed in the appendix annexed hereto at the wholesale receiving point listed in the appendix annexed hereto and in the markets which said wholesale receiving point serves, shall be the amount stated in the said appendix in the column thereof headed by the name of said wholesale receiving point and opposite the fresh fruit and vegetable item listed in the said appendix.

This amount includes all allowances, if any, for protective and other accessorial services and all taxes on transportation costs.

Sec. 4. *Revocation.* Trenton, New Jersey, Order No. G-1 under section 8 (a) (7) of Maximum Price Regulation No. 426, issued by the Trenton, New Jersey District Office is hereby revoked and shall be of no further effect as of the effective date of this order.

Sec. 5. *Effective Date.* This order shall become effective 12:01 a. m. on August 21, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681, MPR 426, 8 F.R. 16409)

Issued this 16th day of August 1944.

RALPH W. HACKETT,
District Director.

APPENDIX

Freight (including protective service and tax) FROM BASING POINT TO WHOLESALE IN THE TRENTON, N. J. DISTRICT (includes cartage from NEW YORK CITY or PHILADELPHIA markets to wholesalers premises).

Commodity	Standard container and minimum contents	Basing point	Season	Trenton	Perth Am- boy, New Brunswick	Freehold, Red Bank	Asbury Park
Carrots, bunched.....	L. A. crate 72 bunches each bunch 1 lb.	El Centro, Calif.....	Jan. 16-Mar. 31.....	1.70	1.71	1.74	1.76
		El Centro, Calif.....	Apr. 1-May 31.....	1.69	1.81	1.84	1.87
		Salinas, Calif.....	June 1-Nov. 30.....	1.69	1.60	1.63	1.65
		Salinas, Calif.....	Dec. 1-Jan. 15.....	1.70	1.80	1.83	1.85
Cucumbers except hothouse.....	Bushel, 41 lbs.....	Wachula, Fla.....	Jan. 1-May 31.....	.65	.66	.69	1.09
		Ponchatoula, La.....	June 1-June 30.....	1.00	1.01	1.04	1.05
	Lug box 28 lbs.....	Wachula, Fla.....	Jan. 1-May 31.....	.65	.65	.67	.68
	Lug box 28 lbs.....	Ponchatoula, La.....	June 1-June 30.....	.67	.67	.69	.69
Cucumbers hothouse.....	Per pound.....	Davenport, Iowa.....	All year.....	.62 1/2	.62 1/2	.62 1/2	.62 1/2
Grapefruit, pink, California and Arizona.....	1 1/2 bushel 68 lbs.....	Los Angeles, Calif.....	Nov. 16-Apr. 30.....	1.67	1.63	1.65	1.63
Grapefruit, pink all other States.....	1 1/2 bushel 60 lbs.....	Weslaco, Tex.....	May 1-Nov. 15.....	1.62	1.65	1.72	1.75
Grapefruit, white California and Arizona.....	1 1/2 bushel 68 lbs.....	Los Angeles, Calif.....	All year.....	1.62	1.64	1.72	1.75
Grapefruit, white, all other States including Indian River.....	1 1/2 bushel 60 lbs.....	Homestead, Fla.....	Nov. 16-Apr. 30.....	1.57	1.63	1.65	1.63
Lemons, all States.....	1 1/2 bushel 77 lbs.....	Los Angeles, Calif.....	May 1-Nov. 15.....	1.62	1.65	1.72	1.75
Green peas.....	Bushel 28 lbs.....	Homestead, Fla.....	All year.....	1.63	1.64	1.43	1.51
Lettuce, iceberg.....	L. A. or Salina crate 60 lbs.....	Santa Barbara, Calif.....	Nov. 1-Apr. 30.....	1.61	1.62	1.69	1.72
Oranges, California and Arizona.....	1 1/2 bushel 77 lbs.....	Salinas, Calif.....	May 1-Nov. 15.....	1.75	1.75	1.83	1.85
		Salinas, Calif.....	Sept. 1-Mar. 31.....	.87	.87	.90	.92
Oranges, all other, including Indian River.....	1 1/2 bushel 60 lbs.....	Homestead, Fla.....	Apr. 1-Aug. 31.....	.65	.65	.63	1.00
Tangerines, all States, except California and Arizona.....	1 1/2 bushel 68 lbs.....	Homestead, Fla.....	All year.....	1.74	1.74	1.75	1.73
		Homestead, Fla.....	Nov. 16-Apr. 30.....	1.70	1.71	1.73	1.81
		Homestead, Fla.....	May 1-Nov. 15.....	1.77	1.73	1.85	1.83
		Homestead, Fla.....	All year.....	1.63	1.40	1.43	1.51

[F. R. Doc. 44-12620; Filed, August 21, 1944; 1:53 p. m.]

[Camden Order 1 Under Restaurant MPR 2, Amdt. 1]

POSTING REQUIREMENTS IN CAMDEN, N. J., DISTRICT

For the reasons stated in an opinion issued simultaneously herewith and pursuant to Restaurant Maximum Price Regulation No. 2, Camden District Order No. 1 under Restaurant Maximum Price Regulation No. 2 is amended as follows:

SECTION 1. Posting requirements. If you own or operate an eating or drinking establishment, you must, on or before August 21, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, meals and beverages, as set forth in this order under Appendix A.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each.

(b) If you do not offer all the 40 items listed in the table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other food items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. Filing of lists of posted prices. When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 28, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

This order shall become effective August 11, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 11th day of August 1944.

T. HAROLD DEMPSEY,
District Director.

[F. R. Doc. 44-12618; Filed, August 21, 1944; 1:51 p. m.]

[Buffalo Order 1 Under Restaurant MPR 2, Amdt. 1]

POSTING REQUIREMENTS IN BUFFALO, N. Y., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the District Director of the Buffalo, New York District Office of Price Administration, Order No. 1 under Restaurant Maximum Price Regulation No. 2 is hereby amended as follows:

1. Section 1 is amended by changing the first paragraph to read:

SECTION 1. Posting requirements. If you own or operate an eating or drinking establishment, you must, on or before August 21, 1944, show on a poster to be supplied by the Office of Price Administration; your lawful ceiling prices for 40 food items, meals and beverages, as set forth in this order.

2. Section 2 is amended by changing the first paragraph to read:

SEC. 2. Filing of lists of posted prices. When you have made up the list of food items, meals and beverages to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 28, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

This amendment shall become effective at 12:01 on August 12, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 11th day of August 1944.

THOMAS J. REESE,
District Director.

[F. R. Doc. 44-12619; Filed, August 21, 1944; 1:51 p. m.]

[Region II Order G-2 Under MPR 426, Amdt. 3]

LETTUCE IN NEW YORK REGION

Pursuant to the Emergency Price Control Act of 1942 as amended, the Stabilization Act of 1942 as amended, Executive Orders 9250 and 9328, and Maximum Price Regulation No. 426, and for the reasons stated in the accompanying opinion, Order No. G-2 under Maximum

Price Regulation No. 426 is amended as follows:

1. Section 5 (a) is amended to read as follows:

Type of sale	Maximum markup ¹	
	Col. 1	Col. 2
	Iceberg lettuce in L. A. or Salinas crates containing not less than 48 heads and a minimum net weight of 60 pounds	All lettuce in any container, except Iceberg lettuce packed as described in col. 1, including hot-house lettuce
	Per crate	Per pound
(1) Sales by growers or country shippers:		
(a) Through a broker or shipper's sales agent or terminal auction	\$0.14	\$0.002
(b) Through a commission merchant:		
1. F.o.b. from railroad car, truck, pier, terminal, platform or building	1.40	1.007
2. F.o.b. commission merchant's warehouse or store, <i>Provided</i> , That lettuce has been unloaded into a place in seller's warehouse or store	1.20	1.003
3. "Delivered" free to the physical premises of any type of purchaser	1.20	1.003
(c) Delivered free from country shipping point in conveyance owned by the grower or country shipper to the physical premises of retail stores where resale is made to ultimate consumers, to government procurement agencies, or to institutional buyers	.60	.015
(2) Sales by carlot or trucklot receivers:		
(a) F. o. b. from railroad car, truck, pier, terminal platform or building	.40	.007
(b) F. o. b. seller's warehouse or store, <i>Provided</i> , That lettuce has been unloaded into a place in seller's warehouse or store	.20	.003
(c) Delivered free to the physical premises of any type of purchaser	.20	.003
(3) Sales by secondary jobbers and service wholesalers:		
(a) F. o. b. seller's warehouse or store	.80	.013
(b) Delivered free to the physical premises of any purchaser except an individual retail store or a commercial or institutional user	.80	.013
(c) Delivered free to the physical premises of an individual retail store or a commercial or institutional user	.60	.015
(d) "Delivered" sales by service wholesalers of less than half original containers		.03

¹ The maximum amount which may be added to the carlot or trucklot price for sales by growers or country shippers through brokers, shipper's sales agents or commission merchants shall be the applicable amount named in the table above or the actual commissions or fees charged for the particular sale, not to exceed the maximum allowable commission or fee which the agent may charge under Maximum Price Regulation No. 165, whichever is lower. In the case of sales through terminal auctions the maximum markup shall be the applicable amount named in the above table or the actual commissions or fees charged for the particular sale, not to exceed the maximum allowable commission or fee which the agent of the auction seller and which the auction company may charge under Maximum Price Regulation No. 165 plus any actual unloading charges in the terminal market, whichever is lower.

2. *Effective date.* This amendment shall become effective, at 12:01 a. m. on August 14, 1944.

Issued this 12th day of August 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

Approved:

F. D. CROMIN,
Regional Director of Food Distribution.

[F. R. Doc. 44-12621; Filed, August 21, 1944;
1:52 p. m.]

[Escanaba Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN ESCANABA, MICH., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Escanaba District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. Posting requirements. If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 ing meals, list the entree and then in which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. Filing of lists of posted prices. When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must

be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

Sec. 3. Replacement of posters. If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the "damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

Sec. 4. Geographical applicability. The provision of this order extend to all eating and drinking establishments located within the Escanaba District of the Office of Price Administration.

Sec. 5. Exemptions. All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

LAWRENCE L. FARRELL,
District Director.

APPENDIX A—FORTY ITEMS FOR WHICH PRICES MUST BE POSTED

A-La-Carte:

1. Coffee.
2. Milk.
3. Doughnuts.
4. Orange juice.
5. Soups.
6. Chili.
7. Combination salad.
8. Hamburger sandwich.
9. Baked ham sandwich.
10. Egg salad sandwich.
11. American cheese sandwich.
12. Hot pork sandwich.
13. Pie.
14. Ice cream or sherbet sundae—plain.
15. Malted milk.

Breakfast:

16. Cereal and half and half.
17. Choice of fruit juice, choice of cereal, toast, beverage.
18. Bacon or ham, one egg, toast, beverage.
19. Wheat cakes, syrup, beverage.

Plate Lunch:

- Entree, potatoes, vegetable, bread and butter, beverage.
20. Plain omelette.
21. Italian spaghetti (designate whether with or without meat balls).
22. Beef roast.
23. Hamburger steak.

Luncheon:

- Soup or fruit juice, potatoes, entree, salad, vegetable, bread and butter, beverage, dessert.
24. Plain omelette.
25. Italian spaghetti.
26. Meat stew.
27. Beef roast.
28. Pork chop.
29. Hamburger steak.
30. Fried lake trout.
31. Liver and bacon or onions.

Dinner:

- Soup or fruit juice, hors-d'oeuvres, salad, entree, potatoes, vegetable, bread and butter, beverage, dessert.
32. Pork chops.
33. Lamb chops.
34. Small steak.
35. Veal chops.
36. T-Bone steak.
37. Chicken (designate kind most often served).
38. Fried lake trout.
39. Liver and bacon or onions.
40. Baked ham.

[F. R. Doc. 44-12617; Filed, August 21, 1944;
1:51 p. m.]

[St. Louis Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN ST. LOUIS, MO., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the St. Louis District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. Posting requirements. If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for forty (40) food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in the applicable table of Appendix A of this order, as you offer for sale, and your ceiling prices for each. You will find in Appendix A several tables of food items and meals. Choose the table most applicable to your establishment.

(b) If you do not offer all the forty (40) items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to forty (40), with your ceiling price for each item.

(c) If you do not offer as many as forty (40) items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak

dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand-lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

Sec. 2. Filing of lists of posted prices. When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

Sec. 3. Replacement of posters. If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

Sec. 4. Geographical applicability. The provisions of this order extend to all eating and drinking establishments located within the St. Louis District of the Office of Price Administration, that is, that portion of the State of Missouri including and lying East of the Counties of Schuyler, Adair, Macon, Chariton, Howard, Cooper, Morgan, Camden, Laclede, Wright, Douglas, and Ozark. However, this order does not apply to those eating and drinking establishments located within the corporate limits of the City of St. Charles, Missouri, for which specific dollars-and-cents ceiling prices for food items and meals have been established by Revised Special Order No. 1, issued by the St. Louis District Office under Revised Restaurant Maximum Price Regulation 5-8.

Sec. 5. Exemptions. All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

APPENDIX A

TABLE I—RESTAURANTS, NIGHT CLUBS, HOTEL COFFEE SHOPS AND DINING ROOMS

If you operate one of the above mentioned eating or drinking establishments, you must post, and submit to your local War Price and Rationing Board, the list required by section 1, showing the following items and your ceiling prices for them:

Fruit and vegetable juices:

1. Orange juice.
2. Tomato juice.

Breads:

3. Buttered toast.
4. Sweet roll.

Breakfast items:

5. Dry cereal with milk.
6. Cooked cereal with milk.
7. Two fried eggs, toast and coffee.
8. Ham, bacon or sausage, one fried egg, toast and coffee.
9. Ham, bacon or sausage, two fried eggs, toast and coffee.

Hot cakes.

10. Hot cakes.
11. Waffle.

Soup:

12. Vegetable soup.
13. Tomato soup.

Luncheon and dinner items a la carte (indicate items included):

14. Roast beef.
15. Hamburger steak.
16. Liver and onions.
17. Creamed chicken.
18. Fried chicken.
19. Fried haddock.
20. Vegetable plate.
21. Roast lamb.
22. Breaded veal cutlet.

Noon luncheon—described below—list all the items you serve on your two most popular luncheons:

	Soup	Appetizer	Salad	Entree
23.	-----	-----	-----	-----
	No. of Veg.	Drink	Dessert	
24.	-----	-----	-----	-----

Evening dinner—described below—list all the items you serve on your two most popular dinners:

	Soup	Appetizer	Salad	Entree
25.	-----	-----	-----	-----
	No. of Veg.	Drink	Dessert	
26.	-----	-----	-----	-----

Sandwiches:

27. Baked ham.
28. American cheese.
29. Hamburger.
30. Chicken salad.
31. Bacon and Tomato.
32. Hot beef with potatoes and gravy.

Drinks:

33. Coffee.
34. Tea (iced).
35. Milk, per bottle (give size of bottle).

Steaks:

36. Club.
37. Sirloin steak.
38. Pork chop.

Dessert:

39. Apple pie.
40. Ice cream (plain).

TABLE II—CAFETERIAS

If you operate a cafeteria, you must post, and submit to your local War Price and Rationing Board, the list required by section 1, showing the following items and your ceiling prices for them:

Salads:

1. Potato salad.
2. Cold slaw.
3. Fruit salad.

Entrees:

1. Fried haddock.
2. Chicken croquettes.
3. Pot roast of beef.
4. Roast pork.
5. Meat loaf.
6. Meat balls with spaghetti.
7. Hamburger steak.
8. Liver and onions.
9. Creamed chicken.
10. Beef stew.
11. Chicken pie.
12. Breaded veal cutlet.

Vegetables:

1. Mashed potatoes.
2. Carrots.
3. Boiled cabbage.
4. Spinach.
5. Beets.
6. Peas.
7. Baked beans.
8. Creamed corn.

Desserts:

1. Apple pie.
2. Cake.
3. Ice cream (plain).
4. Rice pudding.
5. Gelatine.

Drinks:

1. Tea—hot.
2. Iced coffee.
3. Coffee.
4. Iced tea.
5. Milk, per bottle (give size of bottle).
6. Buttermilk.

Bread:

1. White or wholewheat (number of slices).
2. Bread roll.

Soup:

1. Homemade vegetable soup.

Vegetables:

9. French fried potatoes.
10. Green beans.
11. Lima beans.

TABLE III DRUG AND DEPARTMENT STORE SODA FOUNTAINS, SANDWICH SHOPS, TAVERNS, AND SIMILAR ESTABLISHMENTS

If you operate one of the above mentioned eating or drinking establishments, you must post, and submit to your local War Price and Rationing Board, the list required by section 1, showing the following items and your ceiling prices for them:

1. Orange juice.
2. Tomato juice.
3. Dry cereal with milk.
4. Two fried eggs, toast, and coffee.
5. Ham, bacon or sausage, one fried egg, toast and coffee.
6. Ham, bacon or sausage, two fried eggs, toast and coffee.
7. Hot cakes.
8. Waffle.
9. Soup.
10. Chili.

Luncheon and dinner items (Fill in what served with these items in luncheon):

11. Roast beef.
12. Hamburger steak.
13. Baked ham.
14. Fried chicken.
15. Fried fish (specify kind)
16. Club steak.
17. Pork chop.
18. Malted milk.
19. Milk shake.
20. Sundae.
21. Ice cream soda.
22. Ice cream, plain.

Sandwiches:

- 23. Chicken salad.
- 24. Baked ham.
- 25. Ham salad.
- 26. Bacon and tomato.
- 27. Hot beef.
- 28. Barbecue beef.
- 29. Barbecue rib.
- 30. Frankfurter.
- 31. Hamburger.
- 32. Egg.
- 33. Cheese.
- 34. Steak.

Drinks:

- 35. Coffee.
- 36. Tea (iced).
- 37. Milk, per bottle (give size of bottle).

Desserts:

- 38. Apple pie.
- 39. Cake.
- 40. Sweet roll.

*Note: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued at St. Louis, Missouri, this 31st day of July 1944.

E. G. HOTCHKISS,
Acting District Director.

[F. R. Doc. 44-12614; Filed, August 21, 1944;
1:48 p. m.]

[Montgomery Order 1 Under Restaurant
MPR 2]

POSTING REQUIREMENTS IN MONTGOMERY,
ALA., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the Montgomery District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

*Note: The reporting and record-keeping provisions of Order 1 have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

A. H. COLLINS,
District Director.

[F. R. Doc. 44-12616; Filed, August 21, 1944;
1:49 p. m.]

[San Antonio Order 1 Under Restaurant
MPR 2]

POSTING REQUIREMENTS IN SAN ANTONIO,
TEXAS DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the San Antonio District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal; for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference so that corrections can be made.

SEC. 3. Replacement of posters. If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. Geographical applicability. The provisions of this order extend to all eating and drinking establishments located within the San Antonio District of the Office of Price Administration, consisting of the following counties:

Aransas, Atascosa, Bandera, Bastrop, Bee, Bexar, Blanco, Brooks, Burnet, Caldwell, Calhoun, Cameron, Comal, Crockett, DeWitt, Dimmit, Duval, Edwards, Frio, Gillespie, Guadalupe, Goliad, Gonzales, Hays, Hidalgo, Jim Hogg, Jim Wells, Karnes, Kendall, Kenedy, Kerr, Kinney, Kimble, Kleberg, LaSalle, Live Oak, Llano, McMullen, Mason, Maverick, Medina, Menard, Nueces, Real, Refugio, San Patricio, Schleicher, Starr, Sutton, Terrell, Travis, Uvalde, Val Verde, Victoria, Webb, Willacy, Williamson, Wilson, Zapata, and Zavala, and that portion of Lavaca County which lies within the corporate limits of the City of Yoakum, Texas.

SEC. 5. Exemptions. All establishments which are exempt from the provisions of Restaurant Maximum Price Regulation No. 2 are exempt from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued at San Antonio, Texas, this 1st day of August 1944.

C. T. GIESEN,
Acting District Director.

APPENDIX A

TABLE I

If you operate a restaurant, hotel coffee shop, or a dining room, you must post, and submit the list as required by sections 1 and 2 of this posting order to your local War Price and Rationing Board, the following items and your ceiling prices therefor:

Food Item or Meal

Fruit and vegetable juices:

1. Orange juice.
2. Grapefruit juice.
3. Tomato juice.

NOTE: If you offer more than one size, indicate the most popular, as large, small, etc.

Pie, donuts, etc.:

4. Buttered toast.
5. Donuts (show number in customary unit of sale).
6. Plain sweet roll (untoasted).
7. Apple pie.

Breakfast items:

8. Dry cereal with cream (or with milk if you do not serve cream).
9. Cooked cereal with cream (or milk if you do not serve cream).
10. Two eggs, toast and coffee.
11. Ham, bacon or sausage, one egg, toast and coffee.
12. Ham, bacon or sausage, two eggs, toast and coffee.
13. Hot cakes (three).
14. Waffle.

Soups, etc.:

15. Soup (homemade).
16. Soup (canned).
17. Chili.

Luncheon and dinner items a la carte (indicate items included):

18. Roast beef.
19. Hamburger steak.
20. Liver and onions or bacon.
21. Breaded veal cutlet.
22. Fried chicken.
23. Tenderloin of trout.
24. Short ribs of beef.
25. Fried oysters (½ dozen) (1 dozen).

Noon luncheon—described below—two most popular luncheons.

26. -----
(See ¹ Note)

27. -----
(See ¹ Note)

Be sure to describe the meal you serve.

Evening dinner—described below—two most popular:

28. -----
(See ¹ Note for noon luncheon)

29. -----
(See ¹ Note for noon luncheon)

Sandwiches:

30. Ham.
31. American cheese.
32. Hamburger.
33. Chicken salad.
34. Bacon and tomato.
35. Hot beef with potatoes and gravy.

Drinks:

36. Coffee.
37. Milk.

Steaks (describe and also indicate items included):

38. T-bone.
39. Sirloin steak.
40. Pork chops.

TABLE II

If you operate a Cafeteria, you must post, and submit the list as required by sections 1 and 2 of this posting order to your local War Price and Rationing Board, the following items and your ceiling prices therefor:

Salads:

1. Potato salad.
2. Combination.
3. Fruit salad.

Entrees:

4. Fried gulf trout.
5. Croquettes.
6. Pot roast of beef.
7. Roast pork.
8. Meat loaf.
9. Meat balls with spaghetti.
10. Small T-bone.
11. Liver and onions or bacon.
12. Creamed chicken.
13. Beef stew.

¹ NOTE: For example: Merchants' lunch—soup—salad—entree—2 vegetables—drink—dessert.

Vegetables:

14. Mashed potatoes.
15. Buttered carrots.
16. Boiled cabbage.
17. Spinach.
18. Buttered beets.
19. Peas.
20. Baked beans.
21. Corn.
22. Baked potato.
23. Green beans.
24. Lima beans.

Desserts:

25. Apple pie.
26. Cake.
27. Ice cream (dish).
28. Donuts (show number in customary unit of sale).
29. Plain sweet roll (untoasted).

Drinks:

30. Hot tea.
31. Iced coffee.
32. Coffee.
33. Iced tea.
34. Milk (half pint).

Bread:

35. White or whole-wheat (per slice).
36. Corn stick.
37. Hard roll.
38. Butter (per pat).

Soup, etc.:

39. Homemade vegetable.
40. Chili.

TABLE III

If you operate a Night Club or Sandwich Place, you must post, and submit the list as required by sections 1 and 2 of this posting order to your local War Price and Rationing Board, the following items and your ceiling prices therefor:

Food Item or Meal

Fruit and vegetable juices:

1. Orange juice.
2. Grapefruit juice.
3. Tomato juice appetizers (except alcoholic).

NOTE: If you offer more than one size, indicate the most popular, as large, small, etc.

Cocktails:

4. Shrimp cocktail.
5. Oyster cocktail.
6. Fruit cocktail.

Pie, soups and chili:

7. Pie.
8. Soup (homemade).
9. Soup (canned).
10. Chili.

A la Carte Luncheon & Dinner Items (fill in what served with these items in a la carte):

11. Roast beef.
12. Hamburger steak.
13. Liver and onions.
14. Creamed chicken.
15. Fried chicken.
16. Tenderloin of Trout.
17. Fried oysters (½ dozen) (1 dozen).

Noon luncheon—described below—two most popular luncheons:

18. -----
(see ¹ Note)

19. -----
(see ¹ Note)

Be sure to describe the meal you serve.

Evening dinner—described below—two most popular:

20. -----
(see ¹ Note for Noon Luncheon)

21. -----
(see ¹ Note for Noon Luncheon)

¹ NOTE: For example: Merchants' Lunch—Soup—Salad—Entree—2 Vegetables—Drink—Dessert.

Sandwiches:

22. Ham.
23. American cheese.
24. Barbecue beef.
25. Barbecue ham.
26. Chicken salad.
27. Ham and cheese.
28. Bacon & tomato.
29. Sliced chicken.
30. Hot beef with potatoes.
31. Hot pork.
32. Hot steak.

Steaks & chops & fish (describe and also indicate items included):

33. T-bone.
34. Sirloin.
35. Club steak.
36. Pork chops.
37. Broiled flounder.
38. Trout.

Drinks:

39. Coffee.
40. Milk.

TABLE IV

If you operate a Drug or Department Store Soda Fountain or similar establishment, you must post, and submit the list as required by Sections 1 and 2 of this posting order to your local War Price and Rationing Board, the following items and your ceiling prices therefor:

Fruit and vegetable juices:

1. Orange juice.
2. Grapefruit juice.
3. Tomato juice appetizers (except alcoholic).

Note: If you offer more than one size, indicate the most popular, as large, small, etc.

Cocktails:

4. Shrimp cocktail.
5. Oyster cocktail.
6. Fruit cocktail.

Pie, soup and chili:

7. Pie.
8. Soup (homemade).
9. Soup (canned).
10. Chili.

A la Carte Luncheon & Dinner Items (Fill in what served with these items in a la carte):

11. Roast beef.
12. Hamburger steak.
13. Liver and onions.
14. Creamed chicken.
15. Fried chicken.
16. Tenderloin of trout.
17. Fried oysters (½ dozen) (1 dozen).

Fountain items:

18. Malted milk.
19. Milk shake.
20. Sundae.
21. Ice cream soda.
22. Ice cream (dish).
23. Milk chocolate.
24. Limeade (large).
25. Banana split.

Sandwiches:

26. Chicken salad.
27. Ham and cheese.
28. Sliced chicken.
29. Bacon and tomato.
30. Hot beef with potatoes.
31. Hot pork.
32. Hot steak.

Steaks and chops and fish (describe and also indicate items included):

33. T-Bone.
34. Sirloin.
35. Club steak.
36. Pork chops.
37. Broiled flounder.
38. Trout.

Drinks:

39. Coffee.
40. Milk.

[F. R. Doc. 44-12615; Filed, August 21, 1944; 1:49 p. m.]

No. 168—7

[Region V Order G-2 Under MPR 336, MPR 355 and MPR 394]

FABRICATED MEAT CUTS IN DESIGNATED CITIES IN KANSAS

Order No. G-2 under section 5 (c) of: Maximum Price Regulation No. 336. Retail ceiling prices for pork cuts and certain sausage products: Maximum Price Regulation No. 355. Retail ceiling prices for beef, veal, lamb and mutton cuts and all variety meats and edible by-products: and Maximum Price Regulation No. 394. Retail ceiling prices for Kosher beef, veal, lamb and mutton cuts.

Pursuant to section 5 (c) of Maximum Price Regulation No. 336, Maximum Price Regulation No. 355 and Maximum Price Regulation No. 394, as incorporated by Amendment 15 to Maximum Price Regulation No. 336, and Amendment 17 to Maximum Price Regulation No. 355, and Amendment 6 to Maximum Price Regulation No. 394, the Regional Administrator of Region V, on his own motion, finds that the area contained in the corporate limits of each of the following cities situated within the state of Kansas is each an area deficient in supplies of fabricated meat cuts for purveyors of meals:

Coffeyville, Dodge City, Garden City, Great Bend, Hutchinson, Liberal, Pratt, Parsons, Topeka, Salina, Lawrence, Pittsburg, and Manhattan.

The reason the Regional Administrator of Region V finds the area contained within the corporate limits of each city above listed to be an area deficient in supplies of fabricated meat cuts for purveyors of meals is because it is found that the following conditions exist in each of said cities:

1. Purveyors of meals within each respective area are unable to obtain fabricated meat cuts covered by the above named regulations in sufficient volume to supply their requirements as determined under Ration Order No. 16 during the two month period immediately preceding May 1, 1944;

2. The dealers in each said respective area selling fabricated meat cuts do not have adequate facilities or quotas to supply the requirements of purveyors of meals located in each respective area as determined under No. 1 above; and

3. Purveyors of meals in each respective area customarily have relied upon, and find it necessary to continue to rely upon, local retail dealers in each respective area for supplies of meats sufficient to fill their requirements.

Accordingly, the area within the corporate limits of each of the above named

cities situated in the state of Kansas, is hereby ordered and declared to be an area deficient in the supply of fabricated meat cuts covered by the above named price regulations for purveyors of meals within the intent and purposes of said section 5 (c) of each of the aforesaid maximum price regulations.

This order or declaration is subject to revocation, or amendment, at any time hereafter, either by special order or by declaration, or by any price regulation issued hereafter, or by any amendment or supplement issued to any price regulation, the provisions of which may be contrary hereto.

This order shall become effective August 14, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Public Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued at Dallas, Texas, this the 14th day of August 1944.

MAX McCULLOUGH,
Regional Administrator.

[F. R. Doc. 44-12623; Filed, August 21, 1944; 1:52 p. m.]

[St. Louis Order G-1 Under 3 (c)]

GENERAL GROCER COMPANY

ESTABLISHMENT OF MAXIMUM PRICES

Order No. G-1 under § 1499.3 (c) of the General Maximum Price Regulation. Maximum prices for sales at retail of certain headgear.

For the reasons set forth in the accompanying opinion and under the authority vested in the St. Louis District Office of the Office of Price Administration by § 1499.3 (c) of the General Maximum Price Regulation and by Region V Delegation Order No. 38, it is hereby ordered:

SECTION 1. *Purpose of order.* It is the purpose of this order to establish a specific maximum price for certain headgear described in this order when sold or offered for sale at retail by any retail grocery store purchasing such headgear from the General Grocer Company.

SEC. 2. *Geographical applicability.* The provisions of this order extend to all retail grocery sellers located in the City of St. Louis and County of St. Louis, Missouri.

SEC. 3. *Ceiling prices.* (a) On and after August 14, 1944, if you operate a retail grocery store, and if you purchase the specific headgear described herein from the General Grocer Company, your maximum prices for the sale of such headgear shall be:

Style No.	Description	Authorized max. price
A-9 DWG No. 42-G-6891, AC Order No. 42-15387-P.	Aviator Air Helmet—khaki, cotton twill, leather chin strap with shearing protection, fur ear pieces inside helmet.	\$9.40 each.

(b) Lower prices than those established for the headgear described in this section may be charged, demanded, paid or offered.

SEC. 4. *Description of persons and commodity covered by this order.* The provisions of this order apply to you only if you operate a retail grocery store and

you purchase the following commodity from the General Grocery Company for resale at retail:

Style Number

A-9 DWG No. 42-G-6861 AO Order No. 42-19387-P.

Description

Aviator Air Helmet—khaki, cotton twill, leather chin strap with shearing protection, fur ear pieces inside helmet.

SEC. 5. *Records.* (a) In connection with the sale of any item of headgear for which a maximum price is established by this order, you shall keep records (including all purchase invoices), showing the style number, description, cost and selling price of such item of headgear.

(b) You shall keep a copy of this order in your place of business and make it available for inspection by any person during business hours.

SEC. 6. *Sales slips and receipts.* If you have customarily given a purchaser a sales slip, receipt, or similar evidence of purchase, you shall continue to do so. Upon request from a purchaser, regardless of your previous custom, you shall give the purchaser a receipt showing the date, your name and address, the name of each commodity sold, and the price received for it.

SEC. 7. *Revocation and amendment.* This order is subject to revocation or amendment at any time hereafter, either by special order or by any price regulation issued hereafter, or by any amendment or supplement hereafter issued to any price regulation, the provisions of which may be contrary hereto.

SEC. 8. *Relation to other regulations.* In all particulars not specifically covered and excepted your sales of the commodity listed herein shall be subject to the provisions of the General Maximum Price Regulation.

SEC. 9. *Definitions.* Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and in § 1499.20 of the General Maximum Price Regulation, as amended, shall apply to the terms used herein.

SEC. 10. *Effective date.* This order shall become effective at 12:01 a. m. on August 14, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; and E.O. 9328, 8 F.R. 4681)

Issued at St. Louis, Missouri, this 12th day of August 1944.

EDWARD G. HOTCHKISS,
Acting District Director.

[F. R. Doc. 44-12622; Filed, August 21, 1944;
1:53 p. m.]

[Region VI Order G-39 Under MPR 329]

PRODUCERS' MILK IN KIEL, WIS.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration under § 1351.408

(b) of Maximum Price Regulation No. 329, it is hereby ordered:

(a) *Maximum producer prices.* The maximum prices which distributors may pay to producers for milk sold for human consumption in fluid form shall be 73¢ per pound of butterfat content in whole milk.

(b) *Applicability of producer prices.* Maximum prices established by paragraph (a) of this order shall apply to all purchases of milk from producers for resale for human consumption in fluid form by distributors whose bottling plants are located within the corporate limits of the town Kiel, Wisconsin, or who sell within that town 50% or more of the milk sold by them. Maximum prices provided in paragraph (a) of this order shall apply only to purchases from producers from whom distributors covered by this order purchased fluid milk during the period from October 1, 1943, to June 30, 1944, and are not applicable to purchasers from producers who did not in that period sell to distributors covered by this order.

(c) *Definitions.* Unless the context otherwise requires the definitions set forth in § 1351.404 of Maximum Price Regulation No. 329 and section 304 of the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(d) *Relation of this order to Office of Price Administration regulations.* No purchaser shall pay a larger proportion of transportation costs incurred in the delivery of supply of milk than he paid on deliveries during January 1943. Except as modified by this order, the provisions of the Maximum Price Regulation No. 329 shall remain in full force and effect and shall not be evaded by any change in business or trade practices.

(e) *Revocability.* This order may be revoked, amended or corrected at any time.

This order has been approved by the Regional Director of the War Food Administration.

This order shall become effective August 1, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of July 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-12624; Filed, August 21, 1944;
1:54 p. m.]

[Region VI Order G-88 Under SR 15, MPR 280, MPR 329]

FLUID MILK IN FREDERIC, WIS.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, by § 1351.807 (a) of Maximum Price Regulation No. 280 and § 1351.408 (a) of Maximum Price Regulation No. 329, it is ordered:

(a) *Maximum producer prices.* The maximum price which distributors may

pay to producers for milk sold for human consumption in fluid form shall be \$2.70 per cwt. for 3.5% milk, plus not more than 5¢ for each $\frac{1}{10}$ of a pound of butterfat in excess of 3.5% and minus not less than 5¢ for each $\frac{1}{10}$ of a pound of butterfat below 3.5%.

(b) *Applicability of producer prices.* Maximum prices established by section (a) of this order shall apply to all purchases of milk from producers for resale for human consumption in fluid form by distributors whose bottling plants are located within Frederic, Wisconsin, or who sell within that city 50% or more of the milk sold by them. The maximum price provided in section (a) of this order shall apply only to purchases from producers from whom distributors covered by this order purchased milk during the period January 1, 1944, to July 1, 1944, and are not applicable to purchases from producers who did not in those months sell to any distributor covered by this order.

(c) *Maximum distributor prices to civilian purchasers.* The maximum price for the sale and delivery of standard content butterfat fluid milk at wholesale and retail in Frederic, Wisconsin, shall be the maximum price determined under the General Maximum Price Regulation and under Maximum Price Regulation No. 280, whichever is appropriate for the type of sale being made, or the following prices, whichever shall be higher:

Container Size	Wholesale	Retail
Gallon (in bulk)-----	\$0.37	
Gallon-----	.37	\$0.45
$\frac{1}{2}$ Gallon-----	.19	.23
Quart-----	.10	.12
Pint-----	.05 $\frac{1}{2}$.06 $\frac{1}{2}$
$\frac{1}{2}$ Pint-----	.03	.03 $\frac{1}{2}$

Where the maximum price set forth is expressed in terms of $\frac{1}{2}$ cent, the price charged for a single unit may be increased to the next even cent. An opportunity must, however, be given to each purchaser to buy two units for which the maximum price will be twice the single unit price. All sales at wholesale and home delivery sales at retail shall be considered multiple unit sales unless separate collections are made for single units when delivered.

(d) *Maximum distributor prices for sales to Army and Navy.* The maximum price for the sale and delivery of fluid milk to the Army or Navy shall be the price at wholesale computed under section (c) of this order for the particular size and type of container, plus whichever of the following provisions is the higher:

1. $\frac{1}{2}$ cent per quart or a proportionate amount of a part of a quart.
2. The actual transportation costs from the seller's plant to the point of delivery at the lowest common carrier rate.

(e) *Applicability of distributor prices.* For the purpose of section (c) of this order, sales and deliveries in Frederic, Wisconsin, shall mean:

1. All sales made within the municipal limits of Frederic, Wisconsin, and all sales at or from an establishment located in said community;
2. All sales of fluid milk by any seller at retail at or from an establishment

obtaining the major portion of its supply of milk from a seller at wholesale located in Frederic, Wisconsin.

(f) *Definitions.* (1) "Fluid milk" means cow's milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance distributed for human consumption in fluid form as whole milk.

2. "Sales at wholesale" shall include all sales to retail stores and to restaurants, army camps, prisons, schools, hospitals and other institutions.

3. "Army and Navy" means the War Department or the Department of the Navy of the United States, including such Departments' sales stores, commissaries, ships' stores, officers' messes, and stores operated as Army canteens or post exchanges.

(g) *Relation of this order to Office of Price Administration regulations.* No purchaser shall pay a larger proportion of transportation costs incurred in the delivery or supply of milk from producers than he paid on deliveries during January 1943. Except as modified by this order, the provisions of Maximum Price Regulation No. 280 of Maximum Price Regulation No. 329, and of the General Maximum Price Regulation shall remain in full force and effect and shall not be evaded by any change in business or trade practices in effect during the applicable base period of such regulations.

(h) *Revocability.* This order may be revoked, amended or corrected at any time.

The portion of this order which applies to prices which may be paid to producers has been approved by the Administrator of the War Food Administration.

Effective date. This order shall become effective August 1, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of July, 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-12625; Filed, August 21, 1944;
1:54 p. m.]

[Region VII 2d Rev. Order G-7 Under SR 15,
Amdt. 7]

FLUID MILK IN CERTAIN AREAS IN COLORADO

Pursuant to the Emergency Price Control Act of 1942 as amended, the Stabilization Act of 1942 as amended, and § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, and for the reasons set forth in the accompanying opinion, this Amendment No. 7 is issued.

1. Paragraphs (f), (g) and (h) of 2d Revised Order No. G-7 under Supplementary Regulation No. 15 of the General Maximum Price Regulation are hereby re-designated (i), (j) and (k) respectively, and three new paragraphs designated (f), (g) and (h) respectively are inserted to read as follows:

(f) *Limitation on applicability.* The specific maximum prices established for the several areas in the state of Colorado as set forth in paragraph (b) hereof, have been arrived at and determined upon a statistical basis which assumes that the producer of the milk sold will be paid therefor the maximum price authorized by 2d Revised Order No. G-10 under Maximum Price Regulation No. 329. Therefore, the specific maximum prices established for said several areas of the state of Colorado shall be available to those dealers only who are producers of the milk sold; or who have purchased the milk sold from a producer or producers to whom they have paid the full maximum price authorized by said 2d Revised Order No. G-10 under Maximum Price Regulation No. 329; or who have purchased the milk sold from an intermediate seller or distributor who certifies on the invoice or other written memorandum of the transaction that the producers of the milk sold were paid the full maximum price authorized by said 2d Revised Order No. G-10 under Maximum Price Regulation No. 329. If the producer of the milk sold or offered to be sold has not been paid therefor the full maximum price established by said 2d Revised Order No. G-10 under Maximum Price Regulation No. 329, then the seller's maximum prices at wholesale and at retail shall be $\frac{1}{4}\text{¢}$ less per quart and a proportionate reduction where the unit of quantity sold is less than a quart, below the specific maximum prices set forth in this 2d Revised Order No. G-7 for the area in the state of Colorado in which the sale is made, for each 3¢ that the price paid the producer is below such authorized maximum price. If any part or portion of the milk sold at wholesale or at retail by a seller during any calendar month is milk for which the producer has not been paid the full maximum price as authorized by said 2d Revised Order No. G-10 under Maximum Price Regulation No. 329, then all of the milk sold in the state of Colorado by such seller during such calendar month shall be subject to this limitation and his maximum prices therefor shall be determined upon the basis of the lowest price paid by him to any producer for any part or portion of the total quantity of milk sold by him during such calendar month.

(g) *Certification as to price paid producer.* Any person other than the producer thereof, who sells milk to a distributor or dealer for resale either at wholesale or at retail under this 2d Revised Order No. G-7, shall, at the time of the sale, deliver to the purchaser a written invoice or other memorandum of the transaction upon which the seller shall certify that the producer of the milk was or was not, as the case may be, paid the full maximum price authorized by said 2d Revised Order No. G-10 for Colorado producers, under Maximum Price Regulation No. 329, and if such maximum price was not paid the producer, the price actually paid said producer shall be stated.

(h) *Penalty for false certificate.* A false certificate made by any person pursuant to paragraph (g) above, shall con-

stitute a violation of this Regulation and subject the maker thereof to the penalties provided by the Emergency Price Control Act of 1942 as amended for such offense.

2. *Effective date.* This Amendment No. 7 shall become effective on the 14th day of August 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 14th day of August 1944.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 44-12625; Filed, August 21, 1944;
1:54 p. m.]

[Region VII Rev. Order G-8 Under 18 (c),
Amdt. 1]

FLUID MILK IN WYOMING

Pursuant to the Emergency Price Control Act of 1942 as amended, the Stabilization Act of 1942 as amended, and § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, and for the reasons set forth in the accompanying opinion, this Amendment No. 1 is issued.

1. Paragraphs (k), (l) and (m) of Revised Order No. G-8 under Section 1499.18 (c) of the General Maximum Price Regulation, are hereby redesignated paragraphs (n), (o) and (p) respectively, and three new paragraphs designated (k), (l) and (m) respectively, are inserted to read as follows:

(k) *Limitation on applicability.* The specific maximum prices established for the several districts in the state of Wyoming as set forth in paragraphs (b), (c), (d) and (e), respectively, have been arrived at and determined upon a statistical basis which assumes that the producer of the milk sold will be paid therefor the maximum price authorized by Order No. G-11 or Second Revised Order No. G-10 under Maximum Price Regulation No. 329. Therefore, the specific maximum prices established for said several districts of the state of Wyoming shall be available to those dealers only who are producers of the milk sold; or who have purchased the milk sold from a producer or producers to whom they have paid the full maximum price authorized by said Order No. G-11 under Maximum Price Regulation No. 329 if the purchase is made from a Wyoming producer, or Second Revised Order No. G-10 under Maximum Price Regulation No. 329 if the purchase is made from a Colorado producer; or who have purchased the milk sold from an intermediate seller or distributor who certifies on the invoice or other written memorandum of the transaction, that the producers of the milk sold were paid the full maximum price authorized by said Order No. G-11, or said Second Revised Order No. G-10 under Maximum Price Regulation No. 329. If the producer of the milk sold, or offered to be sold, has not been paid therefor, the full maximum price established for Wyoming producers by said Order No. G-11, or the full maxi-

maximum price established for Colorado producers by said Second Revised Order No. G-10, then the seller's maximum prices at wholesale and at retail shall be $\frac{1}{4}\%$ less per quart, and a proportionate reduction where the unit of quantity sold is less than a quart, below the specific maximum prices set forth in this Revised Order No. G-8 for the district in which the sale is made, for each $\frac{1}{4}\%$ that the price paid the producer is below such authorized maximum price. If any part or portion of the milk sold at wholesale or retail by a seller during any calendar month is milk for which the producer has not been paid the full maximum price as authorized by said Order No. G-11 for Wyoming producers, or said Second Revised Order No. G-10 for Colorado producers, then all of the milk sold by such seller during such calendar month shall be subject to this limitation and his maximum prices therefor shall be determined upon the basis of the lowest prices paid by him to any producer for any part or portion of the total quantity of milk sold by him during such calendar month.

(l) *Certification as to price paid producer.* Any person other than the producer thereof, who sells milk to a distributor or dealer for resale either at wholesale or at retail under this Revised Order No. G-8, shall, at the time of the sale, deliver to the purchaser a written invoice or other memorandum of the transaction upon which the seller shall certify that the producer of the milk was or was not, as the case may be, paid the full maximum price authorized by said Order No. G-11 for Wyoming producers, or said Second Revised Order No. G-10 for Colorado producers; and if such maximum price was not paid the producer, the price actually paid said producer shall be stated.

(m) *Penalty for false certificate.* A false certificate made by any person pursuant to paragraph (l) above, shall constitute a violation of this Regulation and subject the maker thereof to the penalties provided by the Emergency Price Control Act of 1942 as amended for such offense.

2. *Effective date.* This Amendment No. 1 shall become effective on the 14th day of August 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 14th day of August 1944.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 44-12627; Filed August 21, 1944;
1:55 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-942]

CENTRAL NEW YORK POWER CORP.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 19th day of August 1944.

Notice is hereby given that an application has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Central New York Power Corporation (Central New York), a subsidiary of Niagara Hudson Power Corporation, in turn a subsidiary of The United Corporation, a registered holding company. All interested persons are referred to said document, which is on file in the office of this Commission, for a statement of the transactions therein proposed, which are summarized as follows:

Central New York proposes to issue and sell at public sale, pursuant to the competitive bidding provisions of Rule U-50, \$50,000,000 principal amount of General Mortgage Bonds, to be dated October 1, 1944 and to be due October 1, 1974, the bid or bids for such bonds to fix the interest rate (not to exceed 3% per annum) and the price to be paid to the company. The proceeds of the sale of these bonds are to be applied, together with treasury cash, to redeem all of Central New York's General Mortgage Bonds 3 $\frac{1}{4}\%$ series due October 1, 1962, outstanding as of September 1, 1944 in the principal amount of \$45,000,000, at the redemption price of 104% of the principal amount thereof plus accrued interest to the date of redemption; and to redeem all of its General Mortgage Bonds, 3 $\frac{1}{2}\%$ series, due July 1, 1965, in the principal amount of \$5,000,000 at the redemption price of 104 $\frac{1}{2}\%$ of the principal amount thereof together with accrued interest to the date of redemption.

It appearing to the Commission that it is appropriate in the public interest and in the interests of investors and consumers that a hearing be held with respect to said matters and that said application shall not be granted except pursuant to further order of this Commission;

It is ordered, That a hearing on said application under the applicable provisions of the act and the rules of the Commission thereunder be held on September 8, 1944 at 11 a. m., e. v. t. in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as the hearing room clerk in Room 318 will at that time designate. All persons desiring to be heard or otherwise wishing to participate in the proceeding shall file with the Commission on or before September 4, 1944 a written request relative thereto, as provided by Rule XVII of the rules of practice of the Commission; and

It is further ordered, That Robert P. Reeder or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing in such matters. The officer so designated to preside at such hearing is authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practices; and

It is further ordered, That, without limiting the scope of the issues presented by such application otherwise to be considered in this proceeding, particular at-

tention will be directed at the hearing to the following matters and questions:

(1) Whether the proposed issue and sale of bonds by Central New York are solely for the purpose of financing the business of the company and have been expressly authorized by the State Commission of the State in which the company is organized and doing business.

(2) Whether the fees, commissions or other remunerations to be paid in connection with the proposed issue and sale of bonds are appropriate and reasonable.

(3) Whether it is necessary or appropriate in the public interest or for the protection of investors or consumers to impose terms and conditions with reference to the proposed transactions, and, if so, what the terms and conditions should be.

It is further ordered, That notice of the aforesaid hearing be given to the applicants and to all other persons; said notice to be given to the applicants and to the New York Public Service Commission by registered mail and to all other persons by general release of this Commission, which shall be distributed to the press and mailed to the mailing list for releases issued under the Act and by publication in the FEDERAL REGISTER.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-12652; Filed, August 23, 1944;
9:45 a. m.]

WAR FOOD ADMINISTRATION.

STABILIZATION OF SALARIES AND WAGES OF AGRICULTURAL LABOR

DELEGATION OF AUTHORITY TO WASHINGTON WFA WAGE BOARD

Pursuant to the authority granted the War Food Administrator by regulations of the Director of the Office of Economic Stabilization issued August 28, 1943 (8 F.R. 11960, 12139, 16702; 9 F.R. 6035), by virtue of the authority vested in the President by the Act of October 2, 1942, entitled "An Act to Amend the Emergency Price Control Act of 1942, to aid in preventing inflation, and for other purposes" (Pub. No. 729, 77th Cong. 2d Sess.), as amended by the Public Debt Act of 1943 entitled "An Act to increase the debt limit of the United States and for other purposes," (Pub. No. 34, 78th Cong., 1st Sess.), and as amended by the Stabilization Extension Act of 1944, entitled "An Act to Amend the Emergency Price Control Act of 1942, as amended, and the Stabilization Act of October 2, 1942, as amended, and for other purposes (Public Law 383, 78th Congress, 2d Sess.), and vested by the President in the Economic Stabilization Director under Executive Order 9328 dated April 8, 1943 (8 F.R. 4681) there is hereby delegated to the Washington WFA Wage Board all the powers conferred upon the War Food Administrator with respect to the pro-

gram for stabilization of salaries and wages of agricultural labor employed in the State of Washington, insofar as the powers relate to the granting or denying of approval of applications for wage or salary increases or decreases, pursuant to the regulations relative to salaries and wages of agricultural labor issued by the War Food Administrator on January 17, 1944, as amended (9 F.R. 655, 6011, 7378, 9641). For the purposes of this delegation to approve or deny wage or salary increases or decreases, pursuant to the regulations aforesaid, three members of the Washington WFA Wage Board shall constitute a quorum authorized to act with regard to such matters.

Any ruling of the Washington WFA Wage Board upon an application for increase or decrease in wages or salaries of agricultural labor shall be final, subject only to the Administrator's right of review on his own initiative. Any reversal or modification of such a ruling by the Administrator shall take effect from the date the affected party is notified thereof or at such later date as is specified in the notification: *Provided, however,* That if a ruling denying an application for permission to make a wage increase or decrease is overruled, the final ruling by the Administrator shall incorporate the effective date of the approval.

The Washington WFA Wage Board shall forward to the Director, Office of Labor, War Food Administration, a copy of each application for wage or salary increase or decrease made pursuant to the regulations relative to salaries and wages of agricultural labor issued January 17, 1944, as amended (9 F.R. 655, 6011, 7378, 9641) and a copy of the Board's ruling thereon. Such copies shall be forwarded every two weeks.

Issued this 21st day of August 1944.

GROVER B. HILL,
First Assistant War
Food Administrator.

[F. R. Doc. 44-12635; Filed, August 21, 1944;
3:29 p. m.]

WAR MANPOWER COMMISSION.

MARYLAND, NORTH CAROLINA, VIRGINIA,
WEST VIRGINIA, AND DISTRICT OF
COLUMBIA

EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for Region IV is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Programs," effective August 16, 1943 (8 F.R. 11338).

Sec.

1. Objectives.
2. Definitions.
3. Exclusions.
4. General hiring provisions.
5. Issuance of statements of availability by employers.
6. Issuance of statements of availability and referrals to employment by United States Employment Service.

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7. Contents of statements of availability.
8. Determination and administration of employment ceilings.
9. Authority and responsibilities of management-labor committee.
10. Encouragement of local initiative and use of existing hiring channels.
11. General referral policies.
12. Control of hiring and solicitation of workers.
13. Solicitation of workers.
14. Hiring.
15. Representation.
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18. Release of workers hired contrary to the program.
19. Discontinuance of inter-area releases.
20. Effective date.
21. Amendments.
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SECTION 1. Objectives. In furtherance of the war effort the Regional Director of the War Manpower Commission of Region IV with the concurrence of the Regional Management-Labor Committee has adopted the following program. The purpose of the program is to eliminate wasteful labor turnover, to reduce unnecessary migration by encouraging the full use of local labor, to direct scarce labor where most needed in the war program and to obtain maximum utilization of the manpower resources under standards protecting the rights of all concerned.

Sec. 2. Definitions. As used in this employment stabilization program:

(a) Region IV includes the States of Maryland, North Carolina, Virginia, West Virginia and the District of Columbia. This program is applicable throughout the Region except in areas in which an approved area program is established.

(b) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees, and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(c) "State" includes Alaska, Hawaii, and the District of Columbia.

(d) "New employees" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than 7 days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(e) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission.

(f) "Essential activity" means any activity included in the War Manpower Commission list of essential activities.

(g) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

(h) The term "employment" and "work" as applied to an individual engaged in principal and supplementary employments mean his principal employment.

(i) "Certificate of prior employment" is a written certification by an applicant for employment as to the name and location of each employer for whom he has worked during the past 60 days, his occupation, and the date of separation from his most recent employer.

SEC. 3. Exclusions. No provision of this employment stabilization program shall be applicable to:

(a) The hiring of a new employee for agricultural employment;

(b) The hiring of a new employee whose last regular employment was in agriculture provided the new employment does not exceed six weeks in duration;

(c) The hiring of a new employee for work of less than seven days' duration or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purposes of the program, unless the employee is customarily engaged in work of less than seven days' duration;

(d) The hiring of an employee in any territory or possession of the United States, except Alaska and Hawaii;

(e) The hiring by a foreign, State, county, or municipal government, or their political subdivisions, or their agencies and instrumentalities, or to the hiring of any of their employees, unless such foreign, State, county or municipal government, or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practical under the Constitution and laws applicable to it, with the program;

(f) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service;

(g) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period.

SEC. 4. General hiring provisions—(a) **Hiring of male workers.** No new male employee may be hired except upon referral by, or in accordance with arrangements approved by the United States Employment Service. Such referral or arrangements for hiring shall be in accordance with approved policies and instructions of the War Manpower Commission.

(b) **Hiring of female workers.** A new female employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(i) Such female individual is hired for work in an essential or locally needed activity or for work to which she has been referred by the United States Employment Service, and,

(ii) Such female individual presents a statement of availability from her last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission, or is hired with its consent, as provided herein.

(2) A new female employee, who during the preceding 60-day period was not engaged in an essential or locally needed activity may be hired only if she signs a certificate of prior employment, or is referred by the United States Employment Service.

(3) Female workers who may be hired only upon referral by the United States Employment Service. A new female employee may not be hired solely upon presentation of a statement of availability or a certificate of prior employment, but may be hired only upon referral by, or in accordance with arrangements approved by the United States Employment Service when:

(i) The new female employee is to be hired for work in a critical occupation, or her statement of availability indicates that her last employment was in a critical occupation.

(ii) The new female employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period.

(iii) The new female employee's last regular employment was in agriculture and she is to be hired for non-agricultural work exceeding 6 weeks in duration, *Provided:* That no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration.

(c) *Evidence of compliance with hiring provisions.* Employers shall keep on file statements of availability, referral cards, and certificates of prior employment, and shall make them available for inspection upon request by a representative of the War Manpower Commission.

SEC. 5. Issuance of statements of availability by employers. In each case, an individual whose last employment is or was in an essential or locally needed activity shall be issued a statement of availability by his employer when:

(a) He has been discharged, or his employment has been otherwise terminated by his employer, or

(b) He has been laid off for an indefinite period, or for a period of seven or more days, or

(c) Continuance of his employment would involve undue personal hardship, or

(d) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(e) Such employment is or was at a wage salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to

apply to the appropriate agency for such adjustment or approval thereof.

(f) An employer failing or refusing after due notice to issue a Statement of Availability as provided in paragraphs (a) and (b) above, shall be subject to the provisions of section 17 hereof.

SEC. 6. Issuance of statements of availability and referrals to employment by United States Employment Service. (a) If an employer fails or refuses to issue a statement to an individual when any of the circumstances set forth in section 5 is found to exist in his case, a statement of availability shall be issued promptly by the USES, or upon the individual's request he shall be referred to other employment in accordance with the provisions of this program.

(b) The United States Employment Service shall issue a statement of availability to, or upon request, refer any individual in the employ of an employer who the War Manpower Commission finds, after notice, hearing and final decision, has not complied with any War Manpower Commission employment stabilization program, regulation or policy, and for so long as such employer continues his non-compliance after such finding.

(c) If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is need in the war effort, the United States Employment Service, may upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

(d) A worker seeking a statement of availability or a referral to employment under any circumstances except where he has been laid off or discharged from his last employment by his employer, shall be urged to remain on his job until the statement is issued, unless remaining on the job would subject him to undue personal hardship.

SEC. 7. Contents of statements of availability. A statement of availability issued to an individual pursuant to this program shall contain only the individual's name, address, social security number, if any, the name and address of the issuing employer, or War Manpower Commission office and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

SEC. 8. Determination and administration of employment ceilings. Upon the advice and recommendation of his Manpower Priorities Committee and subject to review by his Management-Labor Committee an Area Manpower Director may fix for all or any establishments in his administrative area, fair and reasonable employment ceilings and allowances, limiting the number of employees or other specified types of employees which such establishments may employ during specified periods. Such ceilings

and allowances will be determined on the basis of the establishments actual labor needs, the available labor supply, and/or the relative urgency of the establishment's products or services to the war effort. Except as authorized by the Area Manpower Director, no employer shall hire any new employee for work in such establishment if the hiring of such employee would result in exceeding the employment ceiling or allowance currently applicable to such establishment.

SEC. 9. Authority and responsibilities of Management-Labor Committee. The State and Area Management-Labor War Manpower Committees are hereby authorized to consider questions of policy, standards and safeguards not inconsistent with this program, in connection with the establishment and the administration of area employment stabilization programs, and to make recommendations through their respective Manpower Directors to the Regional Manpower Director.

SEC. 10. Encouragement of local initiative and use of existing hiring channels. To the maximum degree consistent with this employment stabilization program and with its objectives, local initiative and cooperative efforts shall be encouraged and utilized and maximum use made of existing hiring channels such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions, and government agencies, and such use is hereby approved.

SEC. 11. General referral policies. No provision in this program shall limit the authority of the United States Employment Service to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

SEC. 12. Control of hiring and solicitation of workers. All hiring and solicitation of workers in, or for work in those localities of this region which are not covered by approved area employment stabilization programs shall be conducted in accordance with this employment stabilization program.

SEC. 13. Solicitation of workers. No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization program, except in a manner consistent with such restrictions.

SEC. 14. Hiring. The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, sex, creed, and, national origin, or except as required by law, citizenship.

SEC. 15. Representation. Nothing contained in this program shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of this program.

Sec. 16. Appeals. Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under the employment stabilization program in accordance with regulations and procedures of the War Manpower Commission. The granting or denial of a statement of availability by the United States Employment Service of the War Manpower Commission may be appealed by an employer or an employee provided an appeal is filed within five days from receipt of notice of such determination with the United States Employment Service local office.

Sec. 17. Enforcement. The Regional Director or his designated representative shall take such action as is necessary to effect compliance with this program in accordance with authority provided under applicable Congressional enact-

ments, executive orders, and regulations of the War Manpower Commission.

Sec. 18. Release of workers hired contrary to the program. If the War Manpower Commission determines that an employer has hired any worker contrary to this program, the employer shall upon notice of such determination release the worker from his employ. Any worker so released shall be referred to his last previous employer or to employment by the United States Employment Service of the War Manpower Commission or by the hiring union where he will do the most good in the furtherance of the war program.

Sec. 19. Discontinuance of inter-area releases. The provisions of the previous Region IV employment stabilization program, requiring migrant workers to ob-

tain and present inter-area releases, are hereby rescinded.

Sec. 20. Effective date. The provisions of this program shall become effective July 1, 1944.

Sec. 21. Amendments. This program may be altered or amended in the same manner as provided for in its original adoption.

Sec. 22. Publication. The Area, State and Regional Manpower Directors and their Management-Labor Committees shall inform all concerned, through appropriate and effective methods of the provisions of this program.

Approved June 17, 1944.

HENRY E. TREIDE,
Regional Director.

[F. R. Doc. 44-12613; Filed, August 21, 1944;
1:32 p. m.]

